



4 April 2018

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Agnes Kang
Cosmotown, Inc. (IANA #1509)
68 Willow Road
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United States

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Dear Agnes Kang,

Please be advised that as of 4 April 2018, Cosmotown, Inc. (Cosmotown) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 14 February 2014 ("RAA"). This breach results from:

1. Cosmotown's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:
 - a. Failure to provide documents and information, as required by Section 3.15 of the RAA; and
 - b. Failure to maintain and make available to ICANN registration data and records available upon request by ICANN, as required by Sections 3.4.2 and 3.4.3 of the RAA

Please refer to the attachment for details regarding this breach.

In addition, Cosmotown has been deemed noncompliant in the following areas:

1. Cosmotown's failure to provide domain name data in the specified response format, as required by Section 1.4 of the Registration Data Directory Service (Whois) Specification of the RAA ("Whois Specification") and the Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (Whois) Specifications ("Clarifications"), and the Additional Whois Information Policy ("AWIP");
2. Cosmotown's failure to provide and maintain accurate and current information as specified in the Registrar Information Specification ("RIS") and to notify ICANN within five days of any changes to such information, as required by Section 3.17 of the RAA;

3. Cosmotown's failure to provide current documentation demonstrating Cosmotown is in good standing, as required by Section 3.17 and Section 6 of the RIS of the RAA;
4. Cosmotown's failure to publish a correspondence address on Cosmotown's website, as required by Section 3.17 and Section 7 of the RIS of the RAA;
5. Cosmotown's failure to publish the full name and position of all officers on Cosmotown's website, as required by Section 3.17 and Section 17 of the RIS of the RAA;
6. Cosmotown's failure to publish Cosmotown's ultimate parent entity on Cosmotown's website, as required by Section 3.17 of the RAA and Section 22 of the RIS of the RAA;
7. Cosmotown's failure to display Cosmotown's deletion and auto-renewal policies on Cosmotown's website, as required by Section 3.7.5.5 of the RAA;
8. Cosmotown's failure to publish on Cosmotown's website and/or provide a link on its website to the Registrants' Benefits and Responsibilities Specification, as required by Section 3.7.10 of the RAA;
9. Cosmotown's failure to publish an email address to receive abuse reports on the home page of Cosmotown's website, as required by Section 3.18.1 of the RAA;
10. Cosmotown's failure to publish on its webpage a description of Cosmotown's procedures for the receipt, handling and tracking of abuse reports, as required by Section 3.18.3 of the RAA;
11. Cosmotown's failure to clearly display on Cosmotown's website, and include a link in its registration agreement to, its renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP");
12. Cosmotown's failure to provide on Cosmotown's website and in its registration agreement, a description of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP; and
13. Cosmotown's failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

Additional Concerns

ICANN notes that a review of Cosmotown's recent data escrow deposit is pending. The review is to confirm Cosmotown completed remediation to ensure that the deposit meets ICANN's specifications, as required by Section 3.6 of the RAA.

ICANN requests that Cosmotown cure these breaches by 25 April 2018, 21 days from the date of this letter, by taking the following actions:

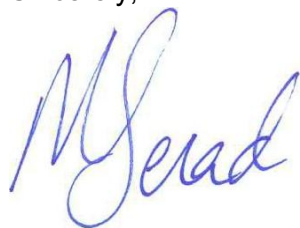
1. Complete the Audit Remediation Phase by:
 - a. Uploading the outstanding documents identified in the audit report per previous audit instruction; or
 - b. Provide the outstanding documents identified in the audit report by email to complianceaudit@icann.org;
2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification, Clarifications, and AWIP;
3. Provide ICANN with a completed RIS form, including accurate and current information, the required supporting documentation, and the location of any applicable information published on Cosmotown's website(s), as required by Section 3.17 of the RAA;
4. Provide ICANN with current documentation demonstrating Cosmotown is in good standing;
5. Publish on Cosmotown's website(s) the correspondence address of Cosmotown, as specified in the RIS, or, update Cosmotown's RIS form to reflect the correspondence address published on Cosmotown's website(s);
6. Publish on Cosmotown's website(s) the full name and position of all officers of Cosmotown;
7. Publish Cosmotown's ultimate parent entity on Cosmotown's website(s);
8. Publish Cosmotown's deletion and auto-renewal policies details on Cosmotown's website(s);
9. Publish on Cosmotown's website(s) and/or provide a link on its website(s) to the Registrants' Benefits and Responsibilities Specification;
10. Publish an email address to receive abuse reports on the home page of Cosmotown's website(s);
11. Publish a description of Cosmotown's procedures for the receipt, handling, and tracking of abuse reports on Cosmotown's website(s);
12. Clearly display renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Cosmotown's website(s) and provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in Cosmotown's registration agreement;

13. Provide a description of the methods used to deliver pre- and post-expiration notifications on Cosmotown's website(s), and include a description of its notification methods or a link to the applicable page(s) on its website(s) where this information is available in Cosmotown's registration agreement;
14. Deposit gTLD registration data on a weekly basis to an approved escrow agent and ensure that the deposits meet the required specifications;
15. Provide ICANN with the corrective and preventative action(s) that Cosmotown will take, with implementation date(s), to ensure timely and complete response to ICANN Contractual Compliance matters; and
16. Pay all past and currently due accreditation fees.

If Cosmotown fails to timely cure the breaches and provide the information requested by 25 April 2018, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Owen Smigelski at owen.smigelski@icann.org.

Sincerely,



Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to provide documents and information for audit

Section 3.15 of the RAA requires Cosmotown, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by Cosmotown necessary to demonstrate compliance with the terms of the RAA. As detailed in the chronology below, ICANN sent Cosmotown multiple notices regarding the requirements of ICANN's Audit Program. Cosmotown's failure to respond and provide the requested documents and information in response to the audit is a breach of Section 3.15 of the RAA.

Failure to retain registered name holder and registration data and failure to make such data available for inspection and copying

Sections 3.4.2 and 3.4.3 of the RAA requires registrars to maintain registered name holder (RNH) and registration data, and to make those records available to ICANN upon reasonable notice. Cosmotown's failure to provide the requested registration records and data related to the audit notices detailed in the chronology below is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

Failure to display required Whois format

Section 1.4 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format for Whois query responses. The format of responses shall contain all the elements and follow a semi-free text format outlined in Section 1.4 of the Whois Specification. Additional specifications to the format of Whois query responses are contained in the Clarifications and the AWIP. Section 4.1 of the RAA requires registrars to comply with and implement all Consensus Policies, including the AWIP. Cosmotown's failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA, the Clarifications and AWIP.

Failure to provide and maintain required contact information

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. Cosmotown's failure to maintain accurate and current information as specified in the RIS, including a primary contact where Cosmotown can be reached for contractual purposes, is a breach of Section 3.17 of the RAA.

Failure to provide ICANN with current documentation of legal status

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS, including current documentation demonstrating the registrar entity is legally established and in good standing. Cosmotown's failure to provide ICANN with current documentation demonstrating it is in good standing is a breach of Section 3.17 of the RAA and Section 6 of the RIS.

Failure to publish registrar's correspondence address on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Cosmotown's failure to publish its RIS correspondence address on Cosmotown's website(s) is a breach of Section 3.17 of the RAA and Section 7 of the RIS.

Failure to publish the full name and position of all officers on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Cosmotown's failure to publish the full name and position of all of its officers on its website(s) is a breach of Section 3.17 of the RAA and Section 17 of the RIS.

Failure to publish registrar's ultimate parent entity on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Cosmotown's failure to publish its ultimate parent entity on Cosmotown's website(s) is a breach of Section 3.17 of the RAA and Section 22 of the RIS.

Failure to publish deletion and auto-renewal policies on website

Section 3.7.5.5 of the RAA requires registrars that operate a website for domain name registration or renewal to clearly display details of the registrar's deletion and auto-renewal policies on the registrar's website. Cosmotown's failure to clearly display its deletion and auto-renewal policies on its website is a breach of Section 3.7.5.5 of the RAA.

Failure to publish on Cosmotown's website(s) and/or provide a link to the Registrants' Benefits and Responsibilities Specification

Section 3.7.10 of the RAA requires registrars to publish on its website(s) and/or provide a link on its website to the Registrants' Benefits and Responsibilities Specification attached to the RAA. Cosmotown's failure to publish on its website(s) or provide a link on its website(s) to the Registrants' Benefits and Responsibilities Specification is a breach of Section 3.7.10 of the RAA.

Failure to publish an email address to receive reports of abuse

Section 3.18.1 of the RAA requires registrars to publish on the home page of their website an email address to receive abuse reports. Cosmotown's failure to publish an email address on the home page of its website(s) to receive abuse reports is a breach of Section 3.18.1 of the RAA.

Failure to publish a description of procedures for receipt, handling and tracking of abuse reports

Section 3.18.3 of the RAA requires registrars to publish on their website a description of their procedures for the receipt, handling and tracking of abuse reports. Cosmotown's failure to publish a description of its procedures for the receipt, handling and tracking of abuse reports on its website(s) is a breach of Section 3.18.3 of the RAA.

Failure to clearly display renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website and in registration agreement

Section 4.1 of the ERRP requires registrars to make their renewal fees, post-expiration renewal fees (if different) and redemption/restore fees reasonably available to RNHs and prospective RNHs at the time of registration of a gTLD name. At a minimum, these fees must be clearly displayed on the registrar's website and a link to these fees must be included in the registrar's registration agreement. Cosmotown's failure to provide a link in its registration agreement to these fees is a breach of Section 4.1 of the ERRP.

Failure to describe the methods used to deliver pre- and post-expiration notifications

Section 4.2 of the ERRP requires registrars to describe on their websites (if used), and include in their registration agreements a description of its notification methods or a link to the applicable page(s) on their websites where this information is available, the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Cosmotown's failure to describe these notifications on its website(s) and in its registration agreement is a breach of Section 4.2 of the ERRP.

Failure to escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit an electronic copy of the data described in Sections 3.4.1.2 through 3.4.1.5 of the RAA to ICANN, or at the registrar's expense, to a reputable escrow agent mutually approved by the registrar and ICANN. Registrars shall submit the data on a schedule, under the terms, and in a format specified by ICANN. Cosmotown's failure to deposit gTLD registration data with an approved escrow agent under the required schedule and terms is a breach of Section 3.6 of the RAA.

Failure to pay accreditation fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. Cosmotown owes ICANN current and past due accreditation fees, in breach of Section 3.9 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
7-Feb-2018	28-Feb-2018	ICANN sent 1st compliance notice via email to agnes.kang@cosmotown.com .
28-Feb-2018	N/A	Email from Registrar (support@cosmotown.com) insufficient to demonstrate compliance.
1-Mar-2018	N/A	ICANN sent follow-up notice via email to support@cosmotown.com to clarify Compliance process.
1-Mar-2018	8-Mar-2018	ICANN sent 2nd compliance notice via email to agnes.kang@cosmotown.com . No response received from Registrar.
2-Mar-2018	N/A	ICANN called Primary Contact at +1 (650) 267-4314. No answer. ICANN left voicemail with complaint details.
12-Mar-2018	19-Mar-2018	ICANN sent 3rd compliance notice via email to agnes.kang@cosmotown.com .
12-Mar-2018	N/A	ICANN sent 3rd compliance notice via fax to +1 (650) 227-2803. Fax successful.
15-Mar-2018	31-Mar-2018	ICANN sent follow-up compliance notice via email to support@cosmotown.com and agnes.kang@cosmotown.com . No response received from Registrar.
14-Mar-2018	N/A	ICANN called Primary Contact at +1 (650) 267-4314. No answer. ICANN left voicemail with complaint details.
29-Mar-2018	31-Mar-2018	ICANN sent follow-up compliance notice via email to support@cosmotown.com and agnes.kang@cosmotown.com . No response received from Registrar.
29-Mar-2018	N/A	ICANN called Primary Contact at +1 (650) 267-4314. No answer. ICANN left voicemail with complaint details. ICANN called Primary Contact at [MOBILE REDACTED]. No response and no ability to leave message.
3-Apr-2018	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
4-Apr-2018	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.