



26 April 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Joel Chornik  
Eserver SRL (IANA ID# 1497)  
Av. de los Incas, Caba 3085  
Argentina

E-mail: [joel.chornik@elserver.com](mailto:joel.chornik@elserver.com)  
Fax Number: +54 11 4556 6400

**RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT**

Dear Mr. Chornik:

Please be advised that as of 26 April 2013, Eserver SRL, is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 15 March 2010 (“RAA”). This breach results from:

- Failure to pay past due accreditation fees pursuant to Section 3.9 of the RAA.

In addition, Eserver SRL has been deemed non-compliant in the following area:

- Failure to give ICANN written notice within 30 days of any change to Registrar's contact information, as required by Section 5.11 of the RAA.

Please refer to the attachment for details regarding these breaches. ICANN requests that Eserver SRL, cure these breaches by 17 May 2013, 15 working days from the date of this letter, by taking the following actions:

- Pay all past due accreditation fees in the amount of \$12,971.84. Please see the enclosed customer statement for details.
- Provide written notice to ICANN of changes to Eserver SRL’s primary contact facsimile and telephone numbers. Please download and complete the primary contact update form

Washington, DC	1101 New York Avenue, NW, Suite 930	Washington, DC 20005	USA	T +1 202 570 7240	F +1 202 789 0104
Los Angeles	12025 Waterfront Drive, Suite 300	Los Angeles, CA 90994	USA	T +1 310 823 9358	F +1 310 823 8649
Brussels	6 Rond Point Schuman, Bt. 5	B-1040 Brussels	BELGIUM	T +32 2 234 7870	F +32 2 234 7848
Sydney	Level 2, 48 Hunter Street	Sydney NSW 2000	AUSTRALIA	T +61 2 8236 7900	F +61 2 8236 7913



Joel Chornik  
ElsERVER SRL  
Page 2 of 4

<http://www.icann.org/en/registrars/primary-contact-update-form-en.pdf> and fax it to ICANN at +1-310-823-8649.

If ElSERVER SRL, fails to timely cure these breaches by 17 May 2013, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Stacy Burnette at [stacy.burnette@icann.org](mailto:stacy.burnette@icann.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad", is written over a light blue circular watermark.

Maguy Serad  
Vice President  
Contractual Compliance

c: John O. Jeffrey, General Counsel and Secretary

Enclosure: Customer Statement



Joel Chornik  
Elserver SRL  
Page 3 of 4

## ATTACHMENT

### 1. 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. Elserver SRL, currently owes ICANN \$12,971.84 in past due accreditation fees.

Elserver SRL, failed to comply with its obligation to timely pay accreditation fees and this failure constitutes a breach of Section 3.9 of the RAA.

### 2. Failure to Update Contact Information

Section 5.11 of the RAA requires Elserver SRL, to notify ICANN within thirty (30) days of any change to its contact information.

ICANN's recent attempts to notify Elserver SRL using the facsimile and telephone numbers listed in ICANN's records were unsuccessful. Elserver SRL's failure to notify ICANN of its new contact information constitutes a breach of Section 5.11 of the RAA.

## Chronology

Date of Notice	Deadline for Response	Details
14-Nov-12 10-Jan-13 13-Feb-13	Within 30 days	Notices regarding Elserver SRL's past due accreditation fees, including detailed customer statements, were transmitted by ICANN's Finance department.
25-Feb-13	4-Mar-13	ICANN sent first Compliance notice via e-mail to <a href="mailto:joel.chornik@elserver.com">joel.chornik@elserver.com</a> (primary contact). Registrar did not respond.



Joel Chornik  
Elsevier SRL  
Page 4 of 4

Date of Notice	Deadline for Response	Details
7-Mar-13	14-Mar-13	ICANN sent second Compliance notice via e-mail to <a href="mailto:joel.chornik@elsevier.com">joel.chornik@elsevier.com</a> (primary contact) and <a href="mailto:administracion@elsevier.com">administracion@elsevier.com</a> (billing contact). Registrar did not respond.
19-Mar-13	26-Mar-13	ICANN sent third Compliance notice via e-mail to <a href="mailto:joel.chornik@elsevier.com">joel.chornik@elsevier.com</a> (primary contact) and <a href="mailto:administracion@elsevier.com">administracion@elsevier.com</a> (billing contact). Additionally, ICANN attempted to send it via fax at, +54 11 4556 6400 receiving from the latter a "communication error" message. Registrar did not respond.
26-Mar-13 11-Apr-13	N/A	ICANN attempted contacting registrar via the only telephone number listed in Radar +54 11 4556 6400. An automated message informed that the telephone number was no longer in service.
11-Apr-13 17-Apr-13 18-Apr-13	N/A	ICANN attempted contacting registrar via a telephone number listed in the website <a href="http://www.elsevier.com">www.elsevier.com</a> + 54 11 5254-0544. An automated message kept ICANN staff on hold but it was not possible to talk to an operator or to leave a message.