



The Internet Corporation for Assigned Names and Numbers

22 November 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Rob Golding  
Astutium Limited (IANA ID# 1471)  
1<sup>st</sup> Floor Number One Poultry  
London EC2R 8JR  
United Kingdom

Email: [domain.admin@astutium.com](mailto:domain.admin@astutium.com)  
Fax: +44 871 277 6875

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

Dear Mr. Golding,

Please be advised that as of 22 November 2013, Astutium Limited (“Astutium”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 5 October 2009 (“RAA”). These breaches result from:

1. Astutium’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 the terms of Section 3.14; and
  - b. Failure to maintain records relating to Astutium’s dealings with Registry Operator(s) and Registered Name Holders and to make such records available to ICANN for inspection, pursuant to Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.



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ICANN requests that Astutium cure the breaches by 17 December 2013, 15 working days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase, by:
  - a. Contacting [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
  - b. Completing the RFI and providing all supporting documentation through the Site.

If Astutium fails to timely cure the breaches and provide the information requested, ICANN may commence the termination process.

If you have questions or require assistance, please contact Owen Smigelski at [owen.smigelski@icann.org](mailto:owen.smigelski@icann.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad".

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



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Astutium Limited  
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## ATTACHMENT

### Failure to Provide Documents and Information for Audit and to Make Records Relating to Registered Name Holders Available to ICANN

Section 3.14 of the RAA requires Astutium, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by Astutium necessary to demonstrate compliance with the terms of this Agreement. Section 3.4.2 of the RAA requires Astutium to maintain registration data and records relating to its dealings with Registered Name Holders and with the Registry Operator(s) for every domain name under Astutium's management. Section 3.4.3 of the RAA requires Astutium to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 1 October 2013 ICANN sent Astutium three notices regarding the requirements of ICANN's Audit Program. To date, Astutium has not sufficiently responded to any Audit Program communication and has not provided the supporting documentation.

#### Chronology:

Date of Notice	Deadline for Response	Details
1 Oct 2013	N/A	ICANN sent all Registrars and Registries a Pre-Audit Notification Letter with Dates of future Notifications. This letter was immediately published on icann.org
14 Oct 2013	4 Nov 2013	ICANN sent 1 <sup>st</sup> Notice via email to <a href="mailto:domain.admin@astutium.com">domain.admin@astutium.com</a> . In addition, the notice was faxed to: +44 871 277 6875. No response received.
4 Nov 2013	10 Nov 2013	ICANN sent 2 <sup>nd</sup> Notice via email to <a href="mailto:domain.admin@astutium.com">domain.admin@astutium.com</a> . In addition, the notice was faxed to: +44 871 277 6875. No response received.



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Date of Notice	Deadline for Response	Details
11 Nov 2013	18 Nov 2013	ICANN sent 3 <sup>rd</sup> (FINAL) Notice via email to <a href="mailto:domain.admin@astutium.com">domain.admin@astutium.com</a> . In addition, the notice was faxed to: +44 871 277 6875
11 Nov 2013	N/A	ICANN called Registrar at +44 871 277 6875 and Registrar confirmed receipt of the Notices.
15 Nov 2013	N/A	ICANN received an email from Registrar stating it does not know what the Site is, where the Site is located, what details are being requested, and that Registrar does not have to provide ICANN any information requested in the 1 <sup>st</sup> Notice.
15 Nov 2013	N/A	ICANN sends email to Registrar referring to ICANN's audit methodology with referenced link, purpose, guidance on audit with FAQ link, as well as addressing concerns Registrar stated regarding privacy.
<b>Other:</b> 18 Nov 2013	N/A	ICANN notes that registrar never logged on within compliance.icann.org tool.