



The Internet Corporation for Assigned Names and Numbers

16 October 2015

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Pehr Sten
Premium Registrations Sweden AB (IANA #1386)
Asboholmsgatan 6
Boras 504 51
Sweden

Email: pehr@onwards.se
Fax: +46 33 140 138

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Sten,

Please be advised that as of 16 October 2015, Premium Registrations Sweden AB (“Premium Registrations”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 30 November 2012 (“RAA”). This breach results from:

1. Premium Registrations’ failure to comply with the Uniform Domain Name Dispute Resolution Policy (“UDRP”), as required by Section 3.8 of the RAA; and
2. Premium Registrations’ failure to maintain and make available to ICANN registration data and records relating to dealings with the Registered Name Holder (“RNH”) of the domain name <terate.com>, as required by Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

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

1. Failure to provide an interactive webpage Whois service providing free public query-based access up-to-date data concerning all active registered names sponsored by Premium

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Registrations for each top-level domain (“TLD”) in which it is accredited, as required by Section 3.3.1 of the RAA;

2. Failure to provide a link on Premium Registrations’ website to ICANN’s registrant rights and responsibilities webpage, as required by Section 3.15 of the RAA;
3. Failure to display Premium Registrations’ deletion and auto-renewal policies on Premium Registrations’ website, as required by Section 3.7.5.5 of the RAA;
4. Failure to clearly display on Premium Registrations’ website 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”); and
5. Failure to provide a description on Premium Registrations’ website of the methods used to deliver pre- and post- expiration notifications, as required by Section 4.2 of the ERRP.

Additional Concerns

On 10 March 2015, ICANN received a complaint from the UDRP Provider at the outset of the UDRP proceeding for <terate.com> for Premium Registrations’ failure to respond to the Provider’s verification request. The proceeding continued despite Premium Registrations’ failure. As of 31 July 2015, per paragraph 4(b) of the UDRP Rules, registrars are now required to respond to the Provider’s verification request and confirm that a Lock of the domain name has been applied.

ICANN requests that Premium Registrations cure the breaches by 6 November 2015, 15 business days from the date of this letter, by taking the following actions:

1. Provide ICANN with an explanation of the actions Premium Registrations will take to address or otherwise resolve the complaint regarding <terate.com>;
2. Provide ICANN with an explanation why Premium Registrations failed to maintain the status quo of a domain name registration subject to a UDRP proceeding, <terate.com>, as required by Paragraph 7 of the UDRP;
3. Provide ICANN with an explanation why the Decision was not implemented, as required by Paragraph 4(k) of the UDRP;



4. Provide the corrective and preventive actions, including implementation dates and milestones, that Premiums Registrations will take to ensure compliance with the UDRP and UDRP Rules to prevent future instances of non-compliance;
5. Provide copies of the correspondence in which Premium Registrations communicated to ICANN, the Provider and the Parties, the date for the implementation of the UDRP administrative panel's decision ("Decision") regarding the domain name <terate.com>;
6. Provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Premium Registrations for each TLD in which it is accredited;
7. Clearly display a link to ICANN's registrant rights and responsibilities webpage on Premium Registrations' website;
8. Publish Premium Registrations' deletion and auto-renewal policies details on Premium Registrations' website;
9. Clearly display Premium Registrations' renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Premium Registrations' website; and
10. Provide a description of the methods used to deliver pre- and post-expiration notifications on Premium Registrations' website.

If Premium Registrations fails to timely cure the breaches and provide the information requested by 6 November 2015, ICANN may commence the RAA termination process.



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

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad", is written in a cursive style.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



ATTACHMENT

Failure to comply with the Uniform Domain Name Dispute Resolution Policy (“UDRP”)

Section 3.8 RAA requires registrars to comply with the Uniform Domain Name Dispute Resolution Policy (“UDRP”). Premium Registrations’ failure to comply with UDRP requirements during and after the domain name <terate.com> was subject to a UDRP proceeding is a breach of Section 3.8 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 RNH and registration data, and to make those records available to ICANN upon reasonable notice. Premium Registrations’ failure to provide the requested registration records and data related to the domain names <terate.com> is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

Failure to provide an interactive webpage Whois service

Section 3.3.1 of the RAA requires registrars to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by the registrar. Premium Registrations’ failure to provide an operational interactive webpage Whois service is a breach of Section 3.3.1 of the RAA.

Failure to display a link to ICANN’s registrant rights and responsibilities webpage

Section 3.15 of the RAA requires registrars to clearly display a link on its website to ICANN’s registrant rights and responsibilities webpage. Premium Registrations’ failure to provide a link on its website to ICANN’s registrant rights and responsibilities webpage is a breach of Section 3.15 of the RAA.

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. Premium Registrations’ 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 clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar’s website

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. Premium Registrations’ failure to clearly display these fees on its website 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 a description of its notification methods or a link to the applicable page(s) on their websites where this information is available in their registration agreements, the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Premiums Registrations’ failure to describe these notifications on its website is a breach of Section 4.2 of the ERRP.

Chronology:

Date of Notice	Deadline for Response	Details
24-Jul-2015	31-Jul-2015	ICANN sent 1st compliance notice via email to pehr@onwards.se . No response received from Registrar.
3-Aug-2015	10-Aug-2015	ICANN sent 2nd compliance notice via email to pehr@onwards.se .
8-Aug-2015	N/A	Email from Registrar (pehr@onwards.se) insufficient to demonstrate compliance.
11-Aug-2015	14-Aug-2015	ICANN sent follow up compliance notice via email to pehr@onwards.se . No response received from Registrar.
14-Aug-2015	N/A	ICANN called Primary Contact at +46 33 135 096. ICANN left a detailed message with complaint details.
2-Sep-2015	7-Sep-2015	ICANN sent follow up compliance notice via email to pehr@onwards.se . No response received from Registrar.

Date of Notice	Deadline for Response	Details
8-Sep-2015	15-Sep-2015	ICANN sent 3rd compliance notice via email to pehr@onwards.se . No response received from Registrar.
8-Sep-2015	N/A	ICANN sent 3rd compliance notice via fax to +46 33 140 138. Fax unsuccessful.
11-Sep-2015	N/A	ICANN called Primary Contact at +46 33 135 096. ICANN left a detailed message with complaint details.
14-Sep-2015	N/A	ICANN called Primary Contact at +46 33 135 096. ICANN left a detailed message with complaint details. ICANN called Primary Contact at mobile [MOBILE REDACTED]. No answer and no ability to leave a message.
5-Oct-2015	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
16-Oct-2015	N/A	To date, Registrar has not responded to ICANN with the requested information and documentation, and issues remain unresolved.