The Internet Corporation for Assigned Names and Numbers

ICANN

23 July 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Andy Wettstein
documentdata Anstalt (IANA # 1317)
Landstrasse 40
Triessen 9495
Liechtenstein

Email: a.wettstein@documentdata.li
Fax Number: +41 58 775 0701

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Wettstein,

Please be advised that as of 23 July 2014, documentdata Anstalt ("documentdata Anstalt") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 1 February 2014 ("RAA"). These breaches result from:

1. documentdata Anstalt's failure to maintain and make available to ICANN registration records relating to dealings with Registered Name Holder ("RNH") of the domain name <maramonesse.com>, pursuant to Sections 3.4.2 and 3.4.3 of the RAA;

2. documentdata Anstalt's failure to allow the RNH of the domain name <maramonesse.com> to transfer its domain name registration to another registrar, pursuant to Section 1 of the Inter-Registrar Transfer Policy ("IRTP") or, alternatively, provide a valid reason for denial, pursuant to Section 3 of the IRTP;

3. documentdata Anstalt's failure to provide a AuthInfo code within five calendar days of a request to the RNH for the domain name <maramonesse.com>, pursuant to Section 5 of the IRTP; and

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4. documentdata Anstalt'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").

Please refer to the attachment for details regarding these breaches.

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

1. Failure to provide a description on documentdata Anstalt's website of 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");

2. Failure to send renewal reminder notices at least one month prior to expiration and at least one week prior to expiration, as required by Section 2.1 of the ERRP; and

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

ICANN requests that documentdata Anstalt's cure the breaches by 13 August 2014, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide copies of all written communications, including time-stamped communications, between documentdata Anstalt and the RNH of the domain name <maramonesse.com>, including a copy of the registration agreement entered between documentdata Anstalt and the RNH;

2. Provide the AuthInfo code to the RNH of the domain <maramonesse.com>, and unlock the domain for transfer;

3. Provide domain name data in the specified response format required by Section 1.4 of Whois Specification of the RAA;

4. Clearly display a link to redemption/restore fees on documentdata Anstalt's website;

5. Provide a description of methods used to deliver pre- and post-expiration notifications on documentdata Anstalt's website in the timeframes described in Section 2.1 of the ERRP; and

6. Pay all past due accreditation fees of $1,382.21.

If documentdata Anstalt fails to timely cure the breaches and provide the information requested by 13 August 2014, 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

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

Sections 3.4.2 and 3.4.3 of the RAA requires registrars to maintain registered name holder and registration data, and to make those records available to ICANN upon reasonable notice. documentdata Anstalt's failure to provide the requested registration data and records is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

<u>Failure to provide AuthInfo codes within five calendar days of request</u>

Section 5 of the IRTP requires registrars to provide the RNH with a unique AuthInfo code within five (5) calendar days of the RNH's initial request. Registrars may only deny a transfer request for the reasons listed in Section 3 of the IRTP. documentdata Anstalt's failure to provide the AuthInfo code within five (5) calendar days of the RNH's request concerning the domain name <maramonesse.com> is a breach of Sections 3 and 5 of the IRTP.

<u>Failure to provide domain name data in the required response format</u>

Section 1.4 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format in response to Whois queries. The format of responses shall contain all of the elements and follow a semi-free text format outlined in Section 1.4 of the Whois Specification. documentdata Anstalt's failure to provide domain name data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA.

<u>Failure to clearly display a link to redemption/restore fees on registrar's website</u>

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 registered name holders and prospective registered name holders 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 agreements. documentdata Anstalt's failure to clearly display on its website or provide a link to redemption/restore fees is a breach of Section 4.1 of the ERRP.

Failure to send pre-expiration notifications at the specified times

Section 2.1 of the ERRP requires registrars to, prior to the expiration of any gTLD registration, notify the RNH of the expiration at least two times. One of these notices must be sent approximately one month prior to expiration and one must be sent approximately one week prior to expiration. documentdata Anstalt's failure to send pre-expiration reminder notices at these specified times, prior to expiration, is a breach of Section 2.1 of the ERRP.

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. documentdata Anstalt's failure to pay ICANN $1,382.21 in past due accreditation fees, is a breach of Section 3.9 of the RAA.

Chronologies:

Ticket BUZ-778-53037 (Whois Format)

Date of Notice	Deadline for Response	Details
16-Jun-2014	23-Jun-2014	ICANN sent 1st compliance notice via email to a.wettstein@documentdata.li. No response received from Registrar.
24-Jun-2014	1-Jul-2014	ICANN sent 2nd compliance notice via email to a.wettstein@documentdata.li. No response received from Registrar.
2-Jul-2014	N/A	ICANN called Primary Contact at +41 58 775 0700. Receptionist advised ICANN that Primary Contact was unavailable. ICANN provided contact information for a return phone call.
7-Jul-2014	N/A	Registrar called ICANN requesting ticket information including the email address associated with each notice.
7-Jul-2014	14-Jul-2014	ICANN sent 3rd compliance notice via email to a.wettstein@documentdata.li. No response received from Registrar.

Date of Notice	Deadline for Response	Details
7-Jul-2014	N/A	ICANN faxed 3rd compliance notice to +41 58 775 0701. Fax unsuccessful.
11-Jul-2014	N/A	ICANN called Primary Contact at +41 58 775 0700. Answered by voice recording. No option to leave a message.
15-Jul-2014	N/A	ICANN called Primary Contact at +41 58 775 0700. Answered by voice recording. No option to leave a message.
15-Jul-2014	N/A	ICANN conducted compliance check for other areas of noncompliance.
23-Jul-2014	N/A	To date, ICANN has not received the requested information.

Ticket PRG-454-13820 (Transfer):

Date of Notice	Deadline for Response	Details
18-Jun-2014	25-Jun-2014	ICANN sent 1st compliance notice via email to c.betschart@documentdata.li. No response received from Registrar.
26-Jun-2014	3-Jul-2014	ICANN sent 2nd compliance notice via email to c.betschart@documentdata.li. No response received from Registrar.
2-Jul-2014	N/A	ICANN called Primary Contact at +41 58 775 0700. Receptionist advised ICANN that Primary Contact was unavailable. ICANN provided contact information for a return phone call.
7-Jul-2014	N/A	Registrar called ICANN requesting ticket information including the email address associated with each notice.

Date of Notice	Deadline for Response	Details
8-Jul-2014	15-Jul-2014	ICANN sent 3rd compliance notice via email to c.betschart@documentdata.li and a.wettstein@documentdata.li. No response received from Registrar.
8-Jul-2014	N/A	ICANN faxed 3rd compliance notice to +41 58 775 0701. Fax unsuccessful.
11-Jul-2014	N/A	ICANN called Primary Contact at +41 58 775 0700. Answered by voice recording. No option to leave a message.
15-Jul-2014	N/A	ICANN called Primary Contact at +41 58 775 0700. Answered by voice recording. No option to leave a message.
15-Jul-2014	N/A	ICANN conducted compliance check for other areas of noncompliance.
23-Jul-2014	N/A	To date, ICANN has not received the requested information.