



The Internet Corporation for Assigned Names and Numbers

22 August 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Ms. Yu,

Please be advised that as of 22 August 2014, 35 Technology Co., Ltd. ("35 Technology") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 19 March 2014 ("RAA"). These breaches result from:

1. Failure to take reasonable steps to investigate and correct claimed Whois inaccuracies pertaining to the domain name <baiqiuyi.com>, as required by Section 3.7.8 of the RAA;
2. Failure to validate and verify the Whois information pertaining to the domain name <baiqiuyi.com>, as required by Sections 2 and 4 of the Whois Accuracy Program Specification;
3. Failure to allow the Registered Name Holder ("RNH") of the domain name <tyfm.net> to transfer the domain name registration to another registrar, pursuant to Section 1 of the Inter-Registrar Transfer Policy ("IRTP");
4. Failure to provide the AuthInfo code within five calendar days to the RNH of the domain name <tyfm.net>, pursuant to Section 5 of the IRTP; and
5. Failure to maintain and make available to ICANN registration records related to dealings with the RNH of the domain name <tyfm.net>, pursuant to Sections 3.4.2 and 3.4.3 of the RAA.

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Please refer to the attachment for details regarding these breaches.

In addition, 35 Technology has been deemed noncompliant in the following areas:

1. Failure to provide a link to ICANN's Registrant Educational Information webpage, as required by Section 3.16 of the RAA; and
2. Failure to publish the full names and positions of all officers on 35's website, as required by Section 3.17 of the RAA and the Registrar Information Specification.

ICANN requests that 35 Technology cure the breaches by 12 September 2014, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that 35 Technology took reasonable steps to investigate and correct the Whois inaccuracy claims concerning the domain name <baiqiuyi.com>. This includes copies of 35 Technology's correspondence with the registrant while investigating the Whois inaccuracy claims (including dates and times and means of inquiries, telephone numbers, e-mail addresses and postal addresses used) in accordance with Section 3.4 of the RAA;
2. Provide records demonstrating that 35 Technology verified and validated the updated Whois information for the domain name <baiqiuyi.com>. This includes the dates, times and means used to verify the Whois information and the formatting templates which were used to ensure the validity of format of the updated Whois information;
3. Provide copies of all written communications, registration records and data, including time-stamped communications, between 35 Technology and the RNH of the domain name <tyfm.net>, including a copy of the registration agreement entered into between 35 Technology and the RNH;
4. Provide the AuthInfo code to the RNH of the domain name <tyfm.net> and unlock the domain name for transfer;
5. Allow the transfer of the domain name <tyfm.net> to another registrar, or provide a valid reason for denial;
6. Clearly display a link to ICANN's Registrant Educational Information webpage on 35 Technology's website; and



7. Publish the full name and positions of all officers on 35 Technology's website.

If 35 Technology fails to timely cure the breaches and provide the information requested by 12 September 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,

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

Cc: John O. Jeffrey, General Counsel and Secretary



ATTACHMENT

Failure to take reasonable steps to investigate and correct Whois inaccuracies

Section 3.7.8 of the RAA requires registrars, upon notification of a claimed inaccuracy in the contact information associated with a registered name sponsored by registrar, to take reasonable steps to investigate the claimed inaccuracy. In the event the registrar learns of inaccurate contact information associated with a registered name it sponsors, the registrar shall take reasonable steps to correct that inaccuracy.

ICANN sent 35 Technology three compliance notices concerning the Whois information of the domain name <baiqiuyi.com> and requested that 35 Technology demonstrate that it took reasonable steps to investigate the Whois inaccuracy claims. 35 Technology's failure to provide documentation demonstrating it took reasonable steps to investigate and correct the alleged Whois inaccuracies is a breach of Section 3.7.8 of the RAA.

Failure to verify and validate Whois information

Section 1 of the Whois Accuracy Specification of the 2013 RAA requires registrars to validate that required fields, including telephone numbers, postal addresses and email addresses, are in a standard format or template, as well as verify the email address of the registrant by receiving an affirmative response to an email sent to the registrant's email address.

Section 2 of the Whois Accuracy Program Specification requires registrars to perform verification and validation, as set forth in Section 1 of that specification, if a registrar receives changes to any Whois information.

Section 4 of the Whois Accuracy Program Specification requires registrars to perform email verification, as set forth in Section 1 of that specification, if a registrar has any information suggesting that the contact information specified in the Whois information is incorrect.

35 Technology's failure to provide documentation demonstrating the required verification and validation of the updated Whois information is a breach of the Whois Accuracy Program Specification.

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 and registration data, and to make those records available to ICANN upon reasonable notice. 35 Technology’s failure to provide the requested registration records is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

Failure to provide AuthInfo code within five calendar days

Paragraph 5 of the IRTF requires registrars to provide the RNH with the unique AuthInfo code within five (5) calendar days of the RNH’s initial request. 35 Technology’s failure to provide the AuthInfo code for the domain name <tyfm.net> within five (5) days of the RNH’s initial request constitutes a breach of Section 5 of the IRTF.

Failure to display a link to ICANN’s Registrant Education Information webpage

Section 3.16 of the RAA requires registrars to clearly display a link to ICANN’s Registrant Educational Information webpage. 35 Technology’s failure to provide a link to ICANN’s Registrant Educational Information webpage on its website is a breach of Section 3.16 of the RAA.

Failure to publish the full name, contact information and positions of all officers on website

Section 3.17 of the RAA requires registrars to publish on each website through which it provides or offers registrar services, the information required in the Registrar Information Specification, including the full names, contact information and positions of all officers. 35 Technology’s failure to publish the full names, contact information and positions of all of its officers is a breach of Section 3.17 of the RAA.

Chronology: Ticket TLH-704-47801 (Whois Inaccuracy)

Date of Notice	Deadline for Response	Details
23-Jun-2014	15-Jul-2014	ICANN sent 1st compliance notice via email to icann@35.cn . No response received from Registrar.
21-Jul-2014	28-Jul-2014	ICANN sent 2nd compliance notice via email to icann@35.cn . No response received from Registrar.

Date of Notice	Deadline for Response	Details
30-Jul-2014	N/A	ICANN called Primary Contact at +86 5925 29 1694. No answer. No ability to leave voice message. ICANN called Primary Contact's mobile number at [MOBILE REDACTED]. Telephone was turned off. No ability to leave voice message.
30-Jul-2014	6-Aug-2014	ICANN sent 3rd compliance notice via email to icann@35.cn .
31-Jul-2014	N/A	ICANN faxed 3rd compliance notice to +86 5925 39 1808. Fax successful.
4-Aug-2014	N/A	Email from Registrar (yuhx@35.cn) with documentation insufficient to demonstrate compliance.
5-Aug-2014	N/A	ICANN called Primary Contact at +86 5925 29 1694. No answer. No ability to leave voice message. ICANN called Primary Contact's mobile number at [MOBILE REDACTED]. Telephone was turned off. No ability to leave voice message.
5-Aug-2014	6-Aug-2014	ICANN sent a follow-up notice via email to icann@35.cn advising Registrar that its prior response to ICANN was incomplete and specifying the missing documentation and information required (in English and Chinese).
12-Aug-2014	N/A	ICANN called Primary Contact at +86 5925 29 1694. No answer. No ability to leave voice message. ICANN called Primary Contact's mobile number at [MOBILE REDACTED]. Telephone was turned off. No ability to leave voice message.
15-Aug-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
22-Aug-2014	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation.

Chronology: Ticket FXN-033-05843 (Transfer)

Date of Notice	Deadline for Response	Details
22-Jul-14	29-Jul-14	ICANN sent 1st compliance notice via email to icann@35.cn . No response received from Registrar.
30-Jul-14	6-Aug-14	ICANN sent 2nd compliance notice via email to icann@35.cn . No response received from Registrar.
5-Aug-14	N/A	ICANN called Primary Contact at +86 5925 29 1694. No answer. No ability to leave voice message. ICANN called Primary Contact's mobile number at [MOBILE REDACTED]. Telephone was turned off. No ability to leave voice message.
7-Aug-14	14-Aug-14	ICANN sent 3rd compliance notice via email to icann@35.cn .
7-Aug-14	N/A	ICANN faxed 3rd compliance notice to +86 5925 39 1808. Fax unsuccessful (no answer).
12-Aug-14	N/A	ICANN called Primary Contact at +86 5925 29 1694. No answer. No ability to leave voice message. ICANN called Primary Contact's mobile number at [MOBILE REDACTED]. Telephone was turned off. No ability to leave voice message.
15-Aug-14	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
20-Aug-14	N/A	Email from Registrar (yuhx@35.cn) informing that the AuthInfo code was sent to the RNH. However, Registrar's reply was insufficient to demonstrate compliance with IRTP.
22-Aug-14	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation. Transfer has not been completed.