



The Internet Corporation for Assigned Names and Numbers

17 March 2015

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Joost Zuurbier
OpenTLD B.V. (IANA #1666)
Keizersgracht 213
Amsterdam 1016 DT
Netherlands

Email: jzuurbier@opentld.com
Fax: +31 20 531 5721

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Zuurbier,

Please be advised that as of 17 March 2015, OpenTLD B.V. ("OpenTLD") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 5 June 2014 ("RAA"). This breach results from:

1. OpenTLD's failure to complete and deliver to ICANN a Compliance Certificate within twenty (20) days following the end of the 2014 calendar year certifying compliance with the terms and conditions of the RAA, as required by Section 3.15 of the RAA.

Please refer to the attachment for details regarding this breach.

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

1. OpenTLD's failure to display the correct ICANN logo on OpenTLD's website, as required by the Logo License Specification of the RAA;
2. OpenTLD's failure to escrow gTLD registration data, as required by Section 3.6 of the RAA; and

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3. OpenTLD's failure to timely pay past due accreditation fees in the amount of \$494.67, as required by Section 3.9 of the RAA.

ICANN requests that OpenTLD cure these breaches by 7 April 2015, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide a certificate executed by the president, chief executive officer, chief financial officer, or chief operating officer (or their equivalents) of OpenTLD, certifying compliance with the terms and conditions of the RAA;
2. Display the correct ICANN logo on OpenTLD's website in accordance with the Logo License Specification of the RAA;
3. Immediately deposit gTLD registration data on a weekly basis to Iron Mountain Intellectual Property Management, Inc. ("Iron Mountain") and ensure that the deposits meet the required specifications; and
4. Pay all past due accreditation fees of \$494.67.

If OpenTLD fails to timely cure the breaches and provide the information requested by 7 April 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".

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



ATTACHMENT

Failure to submit to ICANN annual Compliance Certificate

Section 3.15 of the RAA requires registrars to complete and deliver to ICANN within twenty (20) days following the end of each calendar year, in a form specified by ICANN a certificate executed by the president, chief executive officer, chief financial officer, or chief operating officer (or their equivalents) of a registrar certifying compliance with the terms and conditions of the RAA ("Compliance Certificate"). OpenTLD's failure to complete and deliver the Compliance Certificate is a breach of Section 3.15 of the RAA.

Failure to display correct ICANN-Accredited Registrar logo

The Logo License Specification of the RAA requires registrars, if displaying the ICANN-Accredited Registrar logo, to use the logo displayed in the specification. OpenTLD's use of a modified version of the ICANN-Accredited Registrar logo is a breach of the Logo License Specification of the RAA.

Failure to escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit an electronic copy of the data described in Sections 3.4.1.2 through 3.4.1.5 of the RAA to ICANN, or at the registrar's expense, to a reputable escrow agent mutually approved by the registrar and ICANN. Registrars shall submit the data on a schedule, under the terms, and in a format specified by ICANN. OpenTLD's failure to deposit gTLD registration data with Iron Mountain or a reputable escrow agent is a breach of Section 3.6 of the RAA.

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. OpenTLD owes ICANN \$494.67 in past due accreditation fees, in breach of Section 3.9 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
10-Feb-2015	17-Feb-2015	ICANN sent 1st compliance notice via email to jzuurbier@opentld.com . No response received from Registrar.
20-Feb-2015	27-Feb-2015	ICANN sent 2nd compliance notice via email to jzuurbier@opentld.com . No response received from Registrar.
24-Feb-2015	N/A	ICANN called Primary Contact at +31 20 531 5726. ICANN provided registrar representative with complaint details.
2-Mar-2015	9-Mar-2015	ICANN sent 3rd compliance notice via email to jzuurbier@opentld.com . No response received from Registrar.
2-Mar-2015	N/A	ICANN sent 3rd compliance notice via fax to +31 20 531 5721. Fax successful.
3-Mar-2015	N/A	ICANN called Primary Contact at +31 20 531 5726. ICANN provided registrar representative with complaint details.
10-Mar-2015	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
17-Mar-2015	N/A	To date, no response received from Registrar and the issue remains unresolved.