

24 December 2020

TRANSMITTED VIA ELECTRONIC MAIL AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Vikram Bajaj
Net 4 India Limited (IANA #1007)
308, Pearls Business Park
Netaji Subhash Place, Pitampura
Delhi, 110034
India

Email: bajaj.vikram@gmail.com

Dear Vikram Bajaj:

Please be advised that as of 24 December 2020, Net 4 India Limited ("Net 4 India") is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 14 October 2019 ("RAA"). This breach results from:

1. Net 4 India's failure to make registration data and records available upon request by ICANN, as required by Section 3.4.3 of the RAA.

Please refer to the attachment for details regarding this breach.

By not providing the records and information requested in the compliance cases detailed in the chronologies below Net 4 India has failed to:

1. Demonstrate compliance with Section I.A.5 of the Transfer Policy which mandates that, subject to ICANN specifications or policies and any applicable laws or regulations, the registrar provides the Registered Name Holder ("RNH") with the unique "AuthInfo" code and remove the "ClientTransferProhibited" within five (5) calendar days of the RNH's initial request if the registrar does not provide facilities for the RNH to generate and manage their own unique "AuthInfo" code and to remove the "ClientTransferProhibited" status. In addition, with respect to the domain name arion.asia Net 4 India has failed to provide:
 - a. An explanation addressing the allegations that the domain name was transferred from Net 4 India to Hosting Concepts B.V. d/b/a Registrar.eu, formerly known as Hosting Concepts B.V. d/b/a Openprovider ("Openprovider"), without the knowledge or authorization of the RNH; and

- b. Records to demonstrate compliance with Section I.A.3 of the Transfer Policy. Specifically, that through the mandatory Form of Authorization (“FOA”), Net 4 India confirmed the RNH’s intent to transfer the domain name when the relevant notice of pending transfer was received from the registry operator.
2. Demonstrate compliance with Section 2.2.5 of the Expired Registration Recovery Policy (“ERRP”), which mandates that beginning at the time of expiration and through the Domain Name System resolution interruption period described in ERRP Sections 2.2.2-.3, the Registrant at Expiration (“RAE”) must be permitted by the registrar to renew the expired registration. In the responses that were received in the compliance case, Net 4 India appeared to provide the ‘Registry Expiry Date’ displayed through the relevant Registry’s Registration Data Directory Service (“RDDS”), also known as Whois service, as evidence that the domain name had been renewed. However, ICANN explained to Net 4 India that the ‘Registry Expiry Date’ is not indicative of an explicit extension of the registration by your registrar and highlighted the ‘Registrar Registration Expiration Date’ which, while your registrar’s RDDS was operative, indicated the domain name registration remained expired. ICANN then requested specific evidence of the domain name registration renewal completed by your registrar, Net 4 India did not respond to this request.

Additional Concerns

Net 4 India Limited continues to exhibit the same pattern of conduct that led to the notice of breach issued against it by ICANN on 10 December 2020, which must be cured by 31 December 2020.

ICANN requests that Net 4 India cure all breaches in this notice by 14 January 2021, 21 days from the date of this letter, by taking the following actions:

1. To demonstrate compliance with the Transfer Policy:
 - a. For the domain name bafindia.com, provide:
 - i. The Registration Data for the data elements Registrant Name, Registrant Organization, where applicable, and Registrant Email.
 - ii. Evidence that the RNH has been provided with the AuthInfo code and the “ClientTransferProhibited” status has been removed in the terms prescribed by Section I.A.5 of the Transfer Policy.
 - iii. Copies of any communications between your registrar and the RNH, or authorized representative, relating to transfer requests.
 - b. For the domain name arion.asia, provide:
 - i. An explanation concerning the circumstances under which the domain name was transferred from Net 4 India to Openprovider.

- ii. A copy of the FOA Net 4 India sent to the RNH prior to the domain name's transfer from Net 4 India to Openprovider.
- iii. Explanation and evidence regarding the method by which the AuthInfo code was provided to the RNH, and the date(s) it was provided.
- iv. Copies of any communications between your registrar and the RNH, or authorized representative, that occurred between 1 September 2020 and the time the domain name was transferred to Openprovider, including, but not limited to, requests concerning modification of the Whois information, and an explanation of any steps Net 4 India took in response to these communications.

2. To demonstrate compliance with the ERRP:

a. For the domain names shubhlinegroup.com, provide:

- i. Evidence that the domain name has been renewed (such as a copy of your Registrar's RDDS/Whois output showing the updated "Registrar Registration Expiration Date", or system logs showing a successful renew command sent to the registry operator).

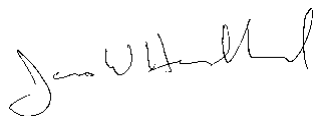
b. For the domain name aurisignum.com, provide:

- i. Evidence that the RAE has been permitted to renew the domain name registration.
- ii. Copies of any communications between your registrar and the RNH/RAE, or authorized representative, relating to renewal requests.

If Net 4 India fails to timely cure the breach and provide the information requested by 14 January 2021, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Leticia Castillo at leticia.castillo@icann.org.

Sincerely,



Jamie Hedlund
Senior Vice President, Contractual Compliance and Consumer Safeguards
Managing Director, Washington, DC Office

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to make registered name holder and registration data available for inspection and copying

Sections 3.4.2 and 3.4.3 of the RAA require registrars to maintain RNH and registration data, and to make those records available to ICANN upon reasonable notice. Net 4 India's failure to provide the requested registration records and data related to the domain names in the compliance notices detailed in the chronologies below is a breach of Section 3.4.3 of the RAA.

CHRONOLOGIES

Chronology (00984013):

Date of Notice	Deadline for Response	Details
30-Oct-2020	6-Nov-2020	ICANN sent 1st compliance notice via email to bajaj.vikram@gmail.com . No response received from Registrar.
13-Nov-2020	20-Nov-2020	ICANN sent 2nd compliance notice via email to bajaj.vikram@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
18-Nov-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
27-Nov-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and spoke with Registrar Representative. No ability to provide the Registrar with the complaint details.
3-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and left voicemail. ICANN called Primary Contact and Compliance Contact at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
15-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.

Date of Notice	Deadline for Response	Details
16-Dec-2020	23-Dec-2020	ICANN sent 3rd compliance notice via email to bajaj.vikram@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
24-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
24-Dec-2020	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
24-Dec-2020	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.

Chronology (00980845):

Date of Notice	Deadline for Response	Details
14-Oct-2020	21-Oct-2020	ICANN sent 1st compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com .
21-Oct-2020	N/A	Email received from Registrar (icannresolutions@net4.com) insufficient to demonstrate compliance.
19-Nov-2020	26-Nov-2020	ICANN sent follow-up compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
4-Dec-2020	11-Dec-2020	ICANN sent 2nd compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
15-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.

Date of Notice	Deadline for Response	Details
16-Dec-2020	23-Dec-2020	ICANN sent 3rd compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
24-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
24-Dec-2020	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
24-Dec-2020	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.

Chronology (00977040):

Date of Notice	Deadline for Response	Details
25-Sep-2020	2-Oct-2020	ICANN sent 1st compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com .
29-Sep-2020	N/A	Email received from Registrar (icannresolutions@net4.com) insufficient to demonstrate compliance.
21-Oct-2020	28-Oct-2020	ICANN sent follow-up compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar
10-Nov-2020	17-Nov-2020	ICANN sent 2nd compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
18-Nov-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.

Date of Notice	Deadline for Response	Details
27-Nov-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and spoke with Registrar Representative. No ability to provide the Registrar with the complaint details.
3-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and left voicemail. ICANN called Compliance Contact at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
15-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
16-Dec-2020	23-Dec-2020	ICANN sent 3rd compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], jasjit.s@net4india.com and jasjit.s@net4.com . No response received from Registrar.
24-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
24-Dec-2020	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
24-Dec-2020	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.

Chronology (00976900):

Date of Notice	Deadline for Response	Details
24-Sep-2020	1-Oct-2020	ICANN sent 1st compliance notice via email to bajaj.vikram@gmail.com . No response received from Registrar.
10-Nov-2020	17-Nov-2020	ICANN sent 2nd compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED] and jasjit.s@net4india.com . No response received from Registrar.

Date of Notice	Deadline for Response	Details
18-Nov-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
27-Nov-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and spoke with Registrar Representative. No ability to provide the Registrar with the complaint details.
3-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and left voicemail. ICANN called Primary Contact and Compliance Contact at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
10-Dec-2020	17-Dec-2020	ICANN sent 3rd compliance notice via email to bajaj.vikram@gmail.com , shikha.90712@gmail.com , pankaj.s@net4.com , icannresolutions@net4.com , [EMAIL REDACTED], and jasjit.s@net4india.com . No response received from Registrar.
15-Dec-2020	N/A	ICANN called Primary Contact and Compliance Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
24-Dec-2020	N/A	ICANN called Primary Contact Compliance and Contact at +91 01145789408 and at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details or to leave a voicemail.
24-Dec-2020	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
24-Dec-2020	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.