



The Internet Corporation for Assigned Names and Numbers

22 August 2016

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Gianluca Pellegrini
Tuonome.it Srl d/b/a APIsrs.com (IANA #380)
Via della Lama 33 51013 Chiesina Uzzanese (PT)
Italy

Email: gp@tuonome.it
Fax: +39 0572 411508

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Gianluca Pellegrini,

Please be advised that as of 22 August 2016, Tuonome.it Srl d/b/a APIsrs.com (“APIsrs.com”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 26 October 2011 (“RAA”). These breaches result from:

1. APIsrs.com’s failure to take reasonable steps to investigate and correct claimed Whois inaccuracies regarding the domain name <centribenessere.tel>, as required by Section 3.7.8 of the RAA; and
2. APIsrs.com’s 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 <centribenessere.tel>, 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, APIsrs.com has been deemed noncompliant in the following area:

1. APIsrs.com’s failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

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Additional Concerns

ICANN notes that APIsrs.com has been nonresponsive to ICANN Contractual Compliance.

ICANN requests that APIsrs.com cure these breaches by 12 September 2016, 15 business days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that APIsrs.com took reasonable steps to investigate and, where applicable, correct the Whois inaccuracy concerning the domain name <centribenessere.tel>. This includes copies of APIsrs.com's correspondence with the RNH while investigating the Whois inaccuracy claims (including dates, times, means of inquiries, telephone numbers, e-mail addresses and postal addresses used);
2. Provide ICANN with the corrective and preventative action(s) that APIsrs.com will take, with implementation date(s), to address its non-response to ICANN Contractual Compliance; and
3. Pay all past and currently due accreditation fees.

If APIsrs.com fails to timely cure the breaches and provide the information requested by 12 September 2016, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Jennifer Scott at jennifer.scott@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 inaccuracy

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 a 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. APIsrs.com’s failure to provide documentation demonstrating the reasonable steps it took to investigate and correct the alleged Whois inaccuracy is a breach of Section 3.7.8 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. APIsrs.com’s failure to provide the requested registration records and data related to the domain name <centribenessere.tel> is a breach of Sections 3.4.2 and 3.4.3 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. APIsrs.com owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA. APIsrs.com additionally owes currently due accreditation fees, due 30 August 2016.

Chronology:

Date of Notice	Deadline for Response	Details
29-Jun-2016	20-Jul-2016	ICANN sent 1st compliance notice via email to gp@tuonomegroup.com and legal@tuonomegroup.com . No response received from Registrar.
25-Jul-2016	1-Aug-2016	ICANN sent 2nd compliance notice via email to gp@tuonomegroup.com and legal@tuonomegroup.com . No response received from Registrar.
26-Jul-2016	N/A	ICANN called Primary Contact at +39 0572 411507. No answer and no ability to leave a message.

Date of Notice	Deadline for Response	Details
5-Aug-2016	12-Aug-2016	ICANN sent 3rd compliance notice via email to gp@tuonomegroup.com and gp@tuonome.it . No response received from Registrar.
5-Aug-2016	N/A	ICANN sent 3rd compliance notice via fax to +39 0572 411508. Fax successful.
11-Aug-2016	N/A	ICANN called Primary Contact at +39 0572 411507. No answer and no ability to leave a message.
19-Aug-2016	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
22-Aug-2016	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.