



22 August 2017

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

**RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT**

Paul Andersen  
Arctic Names, Inc. (IANA #1340)  
107-85 Curlew Drive  
Toronto, Ontario M3A 2P8  
Canada

Email: [paul.andersen@arcticnames.com](mailto:paul.andersen@arcticnames.com)

Fax: +1.4164476447

Dear Paul Andersen,

Please be advised that as of 22 August 2017, Arctic Names, Inc. ("Arctic Names") is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 12 March 2017 ("RAA"). This breach results from:

1. Arctic Names' failure to escrow gTLD registration data, as required by Section 3.6 of the RAA.

Please refer to the attachment for details regarding this breach.

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

1. Arctic Names' 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"), the Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (Whois) Specifications ("Clarifications") and the Additional Whois Information Policy ("AWIP"); and
2. Arctic Names' failure to provide on Arctic Names' website, a description of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the Expired Registration Recovery Policy ("ERRP").

ICANN requests that Arctic Names cure these breaches by 12 September 2017, 21 days from the date of this letter, by taking the following actions:

1. Deposit gTLD registration data on a weekly basis to an approved escrow agent and ensure that the deposits meet the required specifications;

2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification, Clarifications and AWIP;
3. Provide a description of the methods used to deliver pre- and post-expiration notifications on Arctic Names' website; and
4. Provide the corrective and preventative action(s) that Arctic Names will take, with implementation date(s), to ensure timely responses to ICANN Contractual Compliance matters.

If Arctic Names fails to timely cure the breaches and provide the information requested by 12 September 2017, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Jennifer Scott at [jennifer.scott@icann.org](mailto:jennifer.scott@icann.org).

Sincerely,



Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

## ATTACHMENT

### 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. Arctic Names' failure to deposit gTLD registration data with an approved escrow agent under the required schedule and terms is a breach of Section 3.6 of the RAA.

### Failure to display required Whois format

Section 1.4 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format for Whois query responses. The format of responses shall contain all the elements and follow a semi-free text format outlined in Section 1.4 of the Whois Specification. Additional specifications to the format of Whois query responses are contained in the Clarifications and the AWIP. Section 4.1 of the RAA requires registry operators to comply with and implement all Consensus Policies, including the AWIP. Arctic Names' failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA, Clarifications and AWIP.

### Failure to describe the methods used to deliver pre- and post-expiration notifications

Section 4.2 of the ERRP requires registrars to describe on their websites (if used), and include in their registration agreements a description of its notification methods or a link to the applicable page(s) on their websites where this information is available, the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Arctic Names' failure to describe these notifications on its website is a breach of Section 4.2 of the ERRP.

### **Chronology:**

| <b>Date of Notice</b> | <b>Deadline for Response</b> | <b>Details</b>  |
|-----------------------|------------------------------|---|
| 30-May-2017           | 6-Jun-2017                   | ICANN sent 1st compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> . No response received from Registrar. |
| 8-Jun-2017            | 15-Jun-2017                  | ICANN sent 2nd compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> . No response received from Registrar. |
| 13-Jun-2017           | N/A                          | ICANN called Primary Contact at +1.4164437939. ICANN left voicemail with complaint details.   |
| 19-Jun-2017           | 26-Jun-2017                  | ICANN sent 3rd compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> .                                      |
| 19-Jun-2017           | N/A                          | ICANN sent 3rd compliance notice via fax to +1.4164476447. Fax successful.  |

| Date of Notice | Deadline for Response | Details   |
|----------------|-----------------------|---|
| 23-Jun-2017    | N/A                   | ICANN called Primary Contact at +1.4164437939 and provided Primary Contact with complaint details.  |
| 23-Jun-2017    | N/A                   | Email from Registrar ( <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> ) insufficient to demonstrate compliance.                           |
| 26-Jun-2017    | N/A                   | Email from Registrar ( <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> ) insufficient to demonstrate compliance.                           |
| 26-Jun-2017    | 3-Jul-2017            | ICANN sent follow-up compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> .                                      |
| 3-Jul-2017     | N/A                   | Email from Registrar ( <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> ) insufficient to demonstrate compliance.                           |
| 4-Jul-2017     | 11-Jul-2017           | ICANN sent follow-up compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> .                                      |
| 12-Jul-2017    | N/A                   | Email from Registrar ( <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> ) insufficient to demonstrate compliance.                           |
| 13-Jul-2017    | N/A                   | Email from Registrar ( <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> ) insufficient to demonstrate compliance.                           |
| 18-Jul-2017    | 25-Jul-2017           | ICANN sent follow-up compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> .                                      |
| 18-Jul-2017    | N/A                   | Email from Registrar ( <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> ) insufficient to demonstrate compliance.                           |
| 25-Jul-2017    | N/A                   | ICANN sent follow-up compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> . No response received from Registrar. |
| 8-Aug-2017     | 15-Aug-2017           | ICANN sent follow-up compliance notice via email to <a href="mailto:paul.andersen@arcticnames.com">paul.andersen@arcticnames.com</a> . No response received from Registrar. |
| 21-Aug-2017    | N/A                   | ICANN conducted compliance check to determine other areas of noncompliance.   |
| 22-Aug-2017    | N/A                   | To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.  |