



6 March 2018

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

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

Li Yongmei  
Beijing Lanhai Jiye Technology Co., Ltd (IANA #1923)  
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Dear Li Yongmei,

Please be advised that as of 6 March 2018, Beijing Lanhai Jiye Technology Co., Ltd (“Beijing Lanhai”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 19 March 2015 (“RAA”). This breach results from:

1. Beijing Lanhai’s failure to complete and deliver to ICANN a Compliance Certificate within twenty (20) days following the end of the 2017 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, Beijing Lanhai has been deemed noncompliant in the following areas:

1. Beijing Lanhai’s failure to provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Beijing Lanhai for each top-level domain (“TLD”) in which it is accredited, as required by Section 3.3.1 of the RAA;
2. Beijing Lanhai’s 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”);
3. Beijing Lanhai’s failure to publish on Beijing Lanhai’s website(s) and/or provide a link on its website(s) to the Registrants’ Benefits and Responsibilities Specification, as required by Section 3.7.10 of the RAA;

4. Beijing Lanhai's failure to publish on its website(s) a description of Beijing Lanhai's procedures for the receipt, handling and tracking of abuse reports, as required by Section 3.18.3 of the RAA;
5. Beijing Lanhai's failure to display the correct ICANN logo on Beijing Lanhai's website(s), as required by the Logo License Specification of the RAA;
6. Beijing Lanhai's failure to clearly display on Beijing Lanhai's website(s) its renewal and post-expiration renewal fees (if different), and include a link in its registration agreement to its renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP");
7. Beijing Lanhai's failure to provide in Beijing Lanhai's registration agreement a description of the methods used to deliver pre- and post-expiration notifications, or link to the applicable page(s) on Beijing Lanhai's website(s) where this information is available, as required by Section 4.2 of the ERRP;
8. Beijing Lanhai's failure to publish on its website(s) its full principal place of business information (address, phone number, fax number and email address) because the business address is different from the correspondence address, as required by Section 3.17 and Section 11 of the Registrar Information Specification ("RIS") of the RAA;
9. Beijing Lanhai's failure to publish the full name and position of all officers of the registrar on Beijing Lanhai's website(s), as required by Section 3.17 of the RAA and Section 17 of the RIS of the RAA; and
10. Beijing Lanhai's failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

#### Additional Concerns

Section 2.1 of the ERRP requires registrars to notify the Registered Name Holder ("RNH") of the expiration of the domain name approximately one month and one week prior to expiration. If a registration is not renewed by the RNH or deleted by the registrar, registrars must also send a post-expiration reminder notice within five days after expiration of the registration. The information on Beijing Lanhai's website(s) regarding the recipients of its renewal reminders and the intervals of its post-expiration renewal reminders is unclear.

ICANN also notes that Beijing Lanhai exhibits a pattern of non-response to ICANN Contractual Compliance matters and, when responses are provided to ICANN, they are often untimely and incomplete.

ICANN requests that Beijing Lanhai cure these breaches by 27 March 2018, 21 days from the date of this letter, by taking the following actions:

1. After curing all breach items identified in this notice, provide a certificate executed by the president, chief executive officer, chief financial officer or chief operating officer (or their equivalents) of Beijing Lanhai certifying compliance with the terms and conditions of the RAA (“compliance certificate”) section(s);
2. Provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Beijing Lanhai for each TLD in which it is accredited;
3. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification, Clarifications and AWIP;
4. Publish on Beijing Lanhai’s website(s) and/or provide a link on its website(s) to the Registrants’ Benefits and Responsibilities Specification;
5. Publish a description of Beijing Lanhai’s procedures for the receipt, handling and tracking of abuse reports on Beijing Lanhai’s website(s);
6. Display the correct ICANN logo on Beijing Lanhai’s website(s) in accordance with the Logo License Specification of the RAA, or remove the ICANN logo from Beijing Lanhai’s website(s);
7. Clearly display renewal fees and post-expiration renewal fees (if different) on Beijing Lanhai’s website(s) and provide a link to the renewal fees, post-expiration renewal fees (if different), and redemption/restore fees in Beijing Lanhai’s registration agreement;
8. Provide a description of the methods used to deliver pre- and post-expiration notifications in Beijing Lanhai’s registration agreement, or a link to the applicable page(s) on its website(s) where this information is available;
9. Publish on Beijing Lanhai’s website(s) the principal place of business address, phone number, fax number and email address;
10. Publish on Beijing Lanhai’s website(s) the full name and position of all officers of Beijing Lanhai;
11. Confirm Beijing Lanhai’s expiration reminder notice policy complies with the requirements of the ERRP and publish a policy that is consistent with the ERRP or remove the portions of Beijing Lanhai’s policy that are inconsistent with the expiration reminder notice requirements of the ERRP;
12. Provide ICANN with the corrective and preventative action(s) that Beijing Lanhai will take, with implementation date(s), to ensure that Beijing Lanhai’s will respond to ICANN compliance matters timely and completely; and
13. Pay all past due accreditation fees.

If Beijing Lanhai fails to timely cure the breaches and provide the information requested by 27 March 2018, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Owen Smigelski at [owen.smigelski@icann.org](mailto:owen.smigelski@icann.org).

Sincerely,



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 the registrar certifying compliance with the terms and conditions of the RAA. Beijing Lanhai's failure to complete and deliver the compliance certificate for 2017 is a breach of Section 3.15 of the RAA.

### Failure to provide an interactive webpage Whois service

Section 3.3.1 of the RAA requires registrars to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by the registrar. Beijing Lanhai's failure to provide an interactive webpage Whois service is a breach of Section 3.3.1 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 registrars to comply with and implement all Consensus Policies, including the AWIP. Beijing Lanhai's 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 publish on Beijing Lanhai's website(s) and/or provide a link to the Registrants' Benefits and Responsibilities Specification

Section 3.7.10 of the RAA requires registrars to publish on its website(s) and/or provide a link on its website(s) to the Registrants' Benefits and Responsibilities Specification attached to the RAA. Beijing Lanhai's failure to publish on its website(s) or provide a link on its website(s) to the Registrants' Benefits and Responsibilities Specification is a breach of Section 3.7.10 of the RAA.

### Failure to publish a description of procedures for receipt, handling and tracking of abuse reports

Section 3.18.3 of the RAA requires registrars to publish on their website a description of their procedures for the receipt, handling and tracking of abuse reports. Beijing Lanhai's failure to publish a description of its procedures for the receipt, handling and tracking of abuse reports on its website(s) is a breach of Section 3.18.3 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. Beijing Lanhai's use of an unapproved ICANN logo is a breach of the Logo License Specification of the RAA.

#### Failure to clearly display renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website and in registration agreement

Section 4.1 of the ERRP requires registrars to make their renewal fees, post-expiration renewal fees (if different) and redemption/restore fees reasonably available to RNHs and prospective RNHs at the time of registration of a gTLD name. At a minimum, these fees must be clearly displayed on the registrar's website and a link to these fees must be included in the registrar's registration agreement. Beijing Lanhai's failure to provide a link in its registration agreement to these fees or clearly display its renewal fees and post-expiration renewal fees (if different) on its website(s) is a breach of Section 4.1 of the ERRP.

#### 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. Beijing Lanhai's failure to describe these notifications in its registration agreement, or link to the applicable page(s) on Beijing Lanhai's website(s) where this information is available, is a breach of Section 4.2 of the ERRP.

#### Failure to publish registrar's principal place of business information on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Section 11 of the RIS specifies that if a registrar's place of business address is different than its correspondence address, then it must publish the principal place of business address, phone number, fax number and email address on its websites. Beijing Lanhai's principal place of business address is different than the correspondence address in the RIS, and the failure to publish the principal place of business information on its website(s) is a breach of Section 3.17 of the RAA and Section 11 of the RIS.

#### Failure to publish the full name and position of all officers on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Beijing Lanhai's failure to publish the full name and position of all of its officers on its website(s) is a breach of Section 3.17 of the RAA and Section 17 of the RIS.

## 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. Beijing Lanhai owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

### **Chronology:**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
9-Jan-2018 15-Jan-2018 18-Jan-2018	N/A	ICANN sent reminders to Beijing Lanhai Jiye Technology Co., Ltd regarding annual compliance certificate submission.
1-Feb-2018	8-Feb-2018	ICANN sent 1st compliance notice via email to <a href="mailto:icann@toms.net.cn">icann@toms.net.cn</a> . No response received from Registrar.
9-Feb-2018	16-Feb-2018	ICANN sent 2nd compliance notice via email to <a href="mailto:icann@toms.net.cn">icann@toms.net.cn</a> . No response received from Registrar.
21-Feb-2018	N/A	ICANN called Primary Contact at +8628 69880078. No answer and no ability to leave message.
22-Feb-2018	1-Mar-2018	ICANN sent 3rd compliance notice via email to <a href="mailto:icann@toms.net.cn">icann@toms.net.cn</a> . No response received from Registrar.
22-Feb-2018	N/A	ICANN sent 3rd compliance notice via fax to +8628 69880088. Fax unsuccessful.
27-Feb-2018	N/A	ICANN called Primary Contact at +8628 69880078 and provided Registrar representative with complaint details.
2-Mar-2018	N/A	ICANN conducted compliance check to determine other areas of non-compliance.
6-Mar-2018	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.