



27 February 2018

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Rob Golding
Astutium Limited (IANA #1471)
32-33 Skyline Business Park Limeharbour
London E14 9TS
United Kingdom

Email: rob.golding@astutium.com
Fax: +44 871 277 6875

Dear Rob Golding,

Please be advised that as of 27 February 2018, Astutium Limited ("Astutium") is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 5 October 2014 ("RAA"). This breach results from:

1. Astutium's failure to take reasonable steps to investigate and correct claimed Whois inaccuracies regarding the domain name <tomzink.com>, as required by Section 3.7.8 of the RAA;
2. Astutium's failure to validate and verify Whois contact information, as required by Sections 1, 2 and 4 of the Whois Accuracy Program Specification ("WAPS") of the RAA; and
3. Astutium'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 <tomzink.com>, 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, Astutium has been deemed noncompliant in the following areas:

1. Astutium'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") and the Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (Whois) Specifications ("Clarifications");

2. Astutium's failure to include a link in its registration agreement to its renewal fees and post-expiration renewal fees (if different), as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP"); and
3. Astutium's failure to publish a correspondence address on Astutium's website, as required by Section 3.17 and Section 7 of the Registrar Information Specification ("RIS") of the RAA.

Additional Concerns

Based on the information displayed in Astutium's registration agreement published on its website, it is unclear whether its delivery of pre- and post-expiration notifications are compliant with Section 4.2 of the ERRP. 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.

ICANN requests that Astutium cure these breaches by 20 March 2018, 21 days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that Astutium took reasonable steps to investigate and, where applicable, correct the Whois inaccuracy concerning the domain name <tomzink.com>. This includes: (a) copies of Astutium'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), (b) the steps Astutium took to verify and validate the Whois information and (c) confirmation that steps taken to resolve this matter will also apply to all existing and future Whois inaccuracy complaints;
2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification and Clarifications;
3. Provide a link to the renewal fees and post-expiration renewal fees (if different) in Astutium's registration agreement;
4. Confirm and provide in Astutium's registration agreements a description of the methods used to deliver pre- and post-expiration notifications or a link to the applicable page(s) on its website where this information is available;
5. Publish on Astutium's website the correspondence address of Astutium, as specified in the RIS, or, update Astutium's RIS form to reflect the correspondence address published on Astutium's website; and

6. Provide ICANN with corrective and preventative action(s), including implementation date(s), to ensure that Astutum will respond to ICANN compliance matters timely, completely and in line with ICANN's Expected Standards of Behavior.

If Astutum fails to timely cure the breaches and provide the information requested by 20 March 2018, ICANN may commence the RAA termination process.

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

Sincerely,



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. Astutium'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 validate and verify Whois data

Section 1 of the WAPS of the RAA requires registrars to validate that required fields, including telephone numbers, postal addresses and email addresses, are in a standard format or template, as well as verify the email address of the registrant by receiving an affirmative response from the registrant.

Section 2 of the WAPS of the RAA requires registrars to perform validation and verification, as set forth in Section 1 of the WAPS, if a registrar receives changes to any Whois contact information, whether the contact information was previously verified or validated. The registrar is required to (1) receive an affirmative response from the registrant, (2) manually verify the information or (3) suspend the domain name.

Section 4 of the WAPS of the RAA requires registrars to perform validation and verification, as set forth in Section 1 of the WAPS, if a registrar has any information suggesting that the contact information specified in the Whois is incorrect. The registrar must also (1) verify (or re-verify) the registrant's email address by receiving an affirmative response, (2) manually verify the information or (3) suspend the domain name.

Astutium's failure to provide documents and information demonstrating validation and verification of the Whois data for the domain name <tomzink.com> is a breach of the WAPS 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. Astutium's failure to provide the requested registration records and data related to the domain name <tomzink.com> is a breach of Sections 3.4.2 and 3.4.3 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 Additional Whois Information Policy. Astutium's failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA and Clarifications.

Failure to include renewal fees and post-expiration renewal fees (if different) in registrar's 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. Astutium's failure to provide a link in its registration agreement to its renewal fees and post-expiration renewal fees (if different) is a breach of Section 4.1 of the ERRP.

Failure to publish registrar's correspondence address 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. Astutium's failure to publish its RIS correspondence address on Astutium's website is a breach of Section 3.17 of the RAA and Section 7 of the RIS.

Chronology:

Date of Notice	Deadline for Response	Details
20-Dec-2017	18-Jan-2018	ICANN sent 1st compliance notice via email to domain.admin@astutium.com and cameron.gray@astutium.com .
5-Jan-2018	N/A	Email received from Registrar (rob.golding@astutium.com) insufficient to demonstrate compliance.
19-Jan-2018	26-Jan-2018	ICANN sent follow-up compliance notice via email to domain.admin@astutium.com and cameron.gray@astutium.com .
24-Jan-2018	N/A	Email received from Registrar (rob.golding@astutium.com) insufficient to demonstrate compliance.
29-Jan-2018	5-Feb-2018	ICANN sent follow-up compliance notice via email to rob.golding@astutium.com , domain.admin@astutium.com and cameron.gray@astutium.com .

Date of Notice	Deadline for Response	Details
29-Jan-2018	N/A	Email received from Registrar (rob.golding@astutium.com) insufficient to demonstrate compliance.
31-Jan-2018	7-Feb-2018	ICANN sent follow-up compliance notice via email to rob.golding@astutium.com , domain.admin@astutium.com and cameron.gray@astutium.com . No response received from Registrar.
8-Feb-2018	15-Feb-2018	ICANN sent 2nd compliance notice via email to rob.golding@astutium.com , domain.admin@astutium.com and cameron.gray@astutium.com .
10-Feb-2018	N/A	Email received from Registrar (rob.golding@astutium.com) insufficient to demonstrate compliance.
15-Feb-2018	N/A	ICANN called Primary Contact at +44 2034752555 and left voicemail with compliant details. ICANN called Primary Contact at mobile number [NUMBER REDACTED] but call would not connect.
16-Feb-2018	23-Feb-2018	ICANN sent 3rd compliance notice via email to rob.golding@astutium.com , domain.admin@astutium.com and cameron.gray@astutium.com .
16-Feb-2018	23-Feb-2018	ICANN sent 3rd compliance notice via fax to +44 871 277 6875. Fax successful.
16-Feb-2018	N/A	Email received from Registrar (rob.golding@astutium.com) insufficient to demonstrate compliance.
16-Feb-2018	23-Feb-2018	ICANN sent follow-up compliance notice via email to rob.golding@astutium.com , domain.admin@astutium.com and cameron.gray@astutium.com .
17-Feb-2018	N/A	Email received from Registrar (rob.golding@astutium.com) insufficient to demonstrate compliance.
23-Feb-2018	N/A	ICANN called Primary Contact at +44 2034752555 and provided Registrar Representative with complaint details. ICANN called Primary Contact at mobile number [NUMBER REDACTED] but call would not connect.
26-Feb-2018	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
27-Feb-2018	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.