

28 January 2022

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

[REDACTED]

Atak Domain Hosting Internet ve Bilgi Teknolojileri Limited Sirketi
d/b/a Atak Teknoloji (IANA #1601)

[REDACTED]

Emails: [REDACTED] and [REDACTED]

Fax: [REDACTED]

Dear [REDACTED]:

Please be advised that as of 28 January 2022, Atak Domain Hosting Internet ve Bilgi Teknolojileri Limited Sirketi d/b/a Atak Teknoloji (“Atak Teknoloji” or “Registrar”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 20 June 2019 (“RAA”).

This breach results from:

1. Atak Teknoloji’s failure to provide records to ICANN that are related to abuse reports, as required by Section 3.18.3 of the RAA; and
2. Atak Teknoloji’s failure to take reasonable and prompt steps to investigate and respond appropriately to reports of abuse, as required by Section 3.18.1 of the RAA.

Please refer to the attachment for details regarding these breaches.

In addition, Atak Teknoloji has been deemed noncompliant in the following area:

3. Atak Teknoloji’s failure 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 Atak Teknoloji for each generic top-level domain (“gTLD”) in which it is accredited, as required by Section 3.3.1 of the RAA.

Additional Concerns

Due to Atak Teknoloji's failure to provide an interactive webpage and a port 43 Whois service, ICANN is unable to currently confirm Atak Teknoloji's compliance with WHOIS formatting requirements.

ICANN requests that Atak Teknoloji cure these breaches by 18 February 2022, 21 days from the date of this letter, by taking the following actions:

1. Demonstrate that Atak Teknoloji has taken reasonable steps to investigate and respond appropriately to the reports of abuse associated with the compliance notices in the chronologies below. This includes providing ICANN with:
 - a. A description of the specific steps Atak Teknoloji has taken to investigate and respond to each abuse report.
 - b. Copies of the abuse reports that were submitted by the abuse reporter to Atak Teknoloji's abuse-dedicated contacts, and the Registrar's responses to each of those abuse reports (including dates, times, means of inquiries, telephone numbers, e-mail addresses or postal addresses used).
 - c. Copies of any communications between Atak Teknoloji and the Registered Name Holder(s) of the domain names in question, if any communication was conducted while investigating the reports of abuse (including dates, times, means of inquiries, telephone numbers, e-mail addresses or postal addresses used).
 - d. Copies of any other records related to the receipt and response to the abuse reports, where applicable.
 - e. A description of the specific measures, with implementation date(s), that Atak Teknoloji has taken to ensure that the Registrar (1) takes reasonable and prompt steps to investigate and respond appropriately to any reports of abuse moving forward; and (2) timely provides records relating to the Registrar's receipt and response to abuse reports to ICANN upon reasonable notice.
2. 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 Atak Teknoloji for each gTLD in which it is accredited.
3. Display 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 and the Advisory: Clarifications to the Registry and Registrar Requirements for WHOIS (port 43) and Web-Based Directory Services.

If Atak Teknoloji fails to timely cure the breaches and provide the information requested by 18 February 2022, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Leticia Castillo at [REDACTED].

Sincerely,

[SIGNATURE REDACTED]

Jamie Hedlund
Senior Vice President, Contractual Compliance & U.S. Government Engagement

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to take reasonable and prompt steps to investigate and respond to reports of abuse and to maintain and provide to ICANN records related to abuse reports

Section 3.18.1 of the RAA requires registrars to take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse. Section 3.18.3 of the RAA requires registrars to document its receipt of and response to all such reports, as well as maintain the records related to such reports for the shorter of two (2) years or the longest period permitted by applicable law, and during such period, provide such records to ICANN upon reasonable notice. Atak Teknoloji's failure to provide ICANN with evidence and records demonstrating investigation of and response to the abuse reports associated with the abuse compliance notices in the chronologies below is a breach of Section 3.18 of the RAA.

Failure to provide an interactive webpage and port 43 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 for each gTLD in which it is accredited. Atak Teknoloji's failure to provide an interactive webpage and port 43 Whois service is a breach of Section 3.3.1 of the RAA.

CHRONOLOGIES

In the 1st, 2nd and 3rd compliance notices detailed in the chronologies below, ICANN notified Atak Teknoloji of the violations associated with the cases, including the relevant ICANN agreement. All telephone call details below described further attempts from ICANN to communicate to the Registrar the details of the case and to make an ICANN Contractual Compliance staff member available to address any questions in order to assist Atak Teknoloji in becoming compliant. All these attempts were unsuccessful.

Chronology (Case#01094914):

Date of Notice	Deadline for Response	Details
13-Dec-2021	20-Dec-2021	ICANN sent 1st compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
3-Jan-2022	10-Jan-2022	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
4-Jan-2022	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] No ability to provide the Registrar with the complaint details. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and provided Compliance and Primary Contact with the complaint details.

Date of Notice	Deadline for Response	Details
11-Jan-2022	18-Jan-2022	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED] and [EMAIL REDACTED].
13-Jan-2022	N/A	ICANN called Compliance and Primary Contact [TELEPHONE REDACTED]. No answer and no ability to provide the Registrar with the complaint details. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and provided Registrar Representative with the complaint details.
18-Jan-2022	N/A	Upon the Registrar's request, ICANN called Registrar Representative at [TELEPHONE REDACTED] and provided Registrar Representative with clarifications regarding the case.
18-Jan-2022	N/A	Email from the Registrar ([EMAIL REDACTED]) with a request to extend the deadline to provide the requested evidence of compliance.
18-Jan-2022	24-Jan-2022	ICANN confirmed the Registrar's extension request via email to [EMAIL REDACTED], [EMAIL REDACTED], [EMAIL REDACTED] and [EMAIL REDACTED]. No response received from the Registrar.
25-Jan-2022	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
28-Jan-2022	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation.

Chronology (Case# 01094917):

Date of Notice	Deadline for Response	Details
13-Dec-2021	20-Dec-2021	ICANN sent 1st compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
3-Jan-2022	10-Jan-2022	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
4-Jan-2022	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No ability to provide the Registrar with the complaint details. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and provided Compliance and Primary Contract with the complaint details.
11-Jan-2022	18-Jan-2022	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED] and [EMAIL REDACTED].

Date of Notice	Deadline for Response	Details
13-Jan-2022	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to provide the Registrar with the complaint details. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and provided Registrar Representative with the complaint details.
18-Jan-2022	N/A	Upon the Registrar's request, ICANN called Registrar Representative at [TELEPHONE REDACTED] and provided Registrar Representative with clarifications regarding the case.
18-Jan-2022	N/A	Email from the Registrar ([EMAIL REDACTED]) with a request to extend the deadline to provide the requested evidence of compliance.
18-Jan-2022	24-Jan-2022	ICANN confirmed the Registrar's extension request via email to [EMAIL REDACTED], [EMAIL REDACTED], [EMAIL REDACTED] and [EMAIL REDACTED]. No response received from the Registrar.
25-Jan-2022	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
28-Jan-2022	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation.