

### The Internet Corporation for Assigned Names and Numbers

4 January 2017

#### TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Stefan Hansmann Nanjing Imperiosus Technology Co. Ltd. (IANA #953) 18 Mai Yao Road Office 541 Building 7, Xian Zong Lin Yuan Nanjing Jiangsu 210000 China

Email: stefan@domainerschoice.com

Fax: +86 25 8475 2360

#### **RE: NOTICE OF TERMINATION OF ACCREDITATION AGREEMENT**

Dear Stefan Hansmann,

Please be advised that as of 4 January 2017, Nanjing Imperiosus Technology Co. Ltd.'s ("Nanjing Imperiosus") Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 26 July 2015 ("RAA") is terminated pursuant to Section 5.5.4 of the RAA. The termination shall become effective 3 February 2017, 30 calendar days from the date of this notice.

The termination is due to Nanjing Imperiosus' failure to timely cure the breach by 3 January 2017 as set forth in ICANN's Notice of Breach of RAA dated 13 December 2016. As of 4 January 2017, the following breaches remain:

- 1. Nanjing Imperiosus' failure to provide records to ICANN that are related to abuse reports, as required by Section 3.18.3 of the RAA;
- 2. Nanjing Imperiosus' failure to validate and verify Whois contact information, as required by Section 3.7.8 of the RAA and Section 1 of the Whois Accuracy Program Specification ("WAPS") of the RAA;



- 3. Nanjing Imperiosus' failure to maintain and make available to ICANN registration data and records available upon request by ICANN, as required by Sections 3.4.2 and 3.4.3 of the RAA; and
- 4. Nanjing Imperiosus' failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

Please see the chronologies below for additional details.

Additionally, on 24 November 2016, ICANN issued Nanjing Imperiosus a Notice of Suspension for failure to cure the breaches in the Notice of Breach issued against Nanjing Imperiosus on 12 October 2016. ICANN has not received a response to the Notice of Suspension.

Nanjing Imperiosus is further advised that the logo license granted in the Logo License Specification to the RAA is revoked as of 3 February 2017. Please remove all ICANN trademarks, name and logo from Nanjing Imperiosus' website and business materials that have been licensed to Nanjing Imperiosus under the terms of that Specification by 3 February 2017.

#### **Domain Name Transition Process**

To protect domain name registrants, ICANN will commence the domain name transition process and will solicit bids for a qualified ICANN-accredited registrar to manage the domain names currently managed by Nanjing Imperiosus.

ICANN will follow the <u>De-Accredited Registrar Transition Procedure</u> ("Procedure"). Consistent with the Procedure, please designate a bulk transfer recipient by 11 January 2017 and inform ICANN's Registrar Liaison Team at RegTransition@icann.org.

ICANN reserves all its rights under the RAA. Please note the rights and obligations required to have effect after the expiration of the RAA, including but not limited to Sections 3.4 Retention of Registered Name Holder and Registration Data, 3.9 Accreditation Fees, 5.8 Resolution of Disputes Under this Agreement, and 5.9 Limitations on Monetary Remedies for Violations of this Agreement.

Nanjing Imperiosus has past due accreditation fees. These fees are required to be paid to ICANN by Section 3.9 of the RAA. Please immediately submit payment to ICANN accounting.



If you have questions or require assistance, please contact Jennifer Scott at <a href="mailto:jennifer.scott@icann.org">jennifer.scott@icann.org</a>.

Sincerely,

Maguy Serad Vice President

**Contractual Compliance** 

Cc: John O. Jeffrey, General Counsel and Secretary



# Chronology (FPY-461-65564 Abuse):

Date of Notice	Deadline for Response	Details
28-Oct-2016	4-Nov-2016	ICANN sent 1st compliance notice via email to
		stefan@domainerschoice.com.
31-Oct-2016	N/A	Email from Registrar (stefan@domainerschoice.com)
		insufficient to demonstrate compliance.
1-Nov-2016	4-Nov-2016	ICANN sent follow-up compliance notice via email to
1-1100-2010		stefan@domainerschoice.com.
1-Nov-2016	N/A	Email from Registrar (stefan@domainerschoice.com)
1-1100-2016		insufficient to demonstrate compliance.
1-Nov-2016	4-Nov-2016	ICANN sent follow-up compliance notice via email to
1-1100-2016		stefan@domainerschoice.com.
2 Nov 2016	NI / A	Email from Registrar (stefan@domainerschoice.com)
2-Nov-2016	N/A	insufficient to demonstrate compliance.
7 Nov. 2016	44 N 2046	ICANN sent 2nd compliance notice via email to
7-Nov-2016	14-Nov-2016	stefan@domainerschoice.com.
7 Nov. 2016	N/A	Email from Registrar (stefan@domainerschoice.com)
7-Nov-2016		insufficient to demonstrate compliance.
7 Nov. 2016	14-Nov-2016	ICANN sent follow-up compliance notice via email to
7-Nov-2016		stefan@domainerschoice.com.
0 Nov. 2016	N/A	Emails from Registrar (stefan@domainerschoice.com)
8-Nov-2016		insufficient to demonstrate compliance.
10 Nov. 2016	N/A	Email from Registrar (stefan@domainerschoice.com)
10-Nov-2016		insufficient to demonstrate compliance.
1.4 Nov. 2016	21-Nov-2016	ICANN sent follow-up compliance notice via email to
14-Nov-2016		stefan@domainerschoice.com.
15 Nov 2016	N/A	Email from Registrar (stefan@domainerschoice.com)
15-Nov-2016		insufficient to demonstrate compliance.
15 Nov 2016	21-Nov-2016	ICANN sent follow-up compliance notice via email to
15-Nov-2016		stefan@domainerschoice.com.
23-Nov-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360 and at
		mobile number [NUMBER REDACTED]. No answer and no
		ability to leave a voicemail.
28-Nov-2016	5-Dec-2016	ICANN sent 3rd compliance notice via email to
		stefan@domainerschoice.com.



Date of Notice	Deadline for Response	Details
28-Nov-2016	N/A	ICANN sent 3rd compliance notice via fax to +86 25 8475 2360. Fax unsuccessful.
29-Nov-2016	N/A	Email from Registrar ( <u>stefan@domainerschoice.com</u> ) insufficient to demonstrate compliance.
30-Nov-2016	5-Dec-2016	ICANN sent follow-up compliance notice via email to stefan@domainerschoice.com.
2-Dec-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360. ICANN left voicemail with complaint details. ICANN called Primary Contact at mobile number [NUMBER REDACTED]. No answer and no ability to leave a voicemail.
12-Dec-2016	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
13-Dec-2016	3-Jan-2017	ICANN issues Notice of Breach to Registrar. No response received from Registrar.
13-Dec-2016	N/A	ICANN sent Notice of Breach via fax to +86 25 8475 2360. Fax unsuccessful.
13-Dec-2016	N/A	ICANN sent Notice of Breach via courier to Registrar Primary Contact postal address. Delivery unsuccessful.
4-Jan-2017	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.

## Chronology (JUT-892-42530 Whois Inaccuracy):

Date of Notice	Deadline for Response	Details
10-Oct-2016	17-Oct-2016	ICANN sent 1st compliance inquiry via email to <a href="mailto:info@domainerschoice.com">info@domainerschoice.com</a> . No response received from Registrar.
19-Oct-2016	26-Oct-2016	ICANN sent 2nd compliance inquiry via email to <a href="mailto:info@domainerschoice.com">info@domainerschoice.com</a> . No response received from Registrar.
25-Oct-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360. ICANN left voicemail with complaint details.
7-Nov-2016	14-Nov-2016	ICANN sent 3rd compliance inquiry via email to <a href="mailto:info@domainerschoice.com">info@domainerschoice.com</a> and <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .



Date of Notice	Deadline for Response	Details
7-Nov-2016	N/A	ICANN sent 3rd compliance inquiry via fax to +86 25 8475 2360. Fax unsuccessful.
7-Nov-2016	N/A	Email from Registrar (stefan@domainerschoice.com) insufficient to demonstrate compliance.
16-Nov-2016	23-Nov-2016	ICANN sent follow-up compliance inquiry via email to <a href="info@domainerschoice.com">info@domainerschoice.com</a> and <a href="stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
22-Nov-2016	N/A	Email from Registrar ( <u>stefan@domainerschoice.com</u> ) insufficient to demonstrate compliance.
23-Nov-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360 and at mobile number [NUMBER REDACTED]. No answer and no ability to leave a voicemail.
1-Dec-2016	8-Dec-2016	ICANN sent Escalated compliance notice via email to <a href="info@domainerschoice.com">info@domainerschoice.com</a> and <a href="stefan@domainerschoice.com">stefan@domainerschoice.com</a> . No response received from Registrar.
1-Dec-2016	N/A	ICANN sent Escalated compliance notice via fax to +86 25 8475 2360. Fax unsuccessful.
2-Dec-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360. ICANN left voicemail with complaint details. ICANN called Primary Contact at mobile number [NUMBER REDACTED]. No answer and no ability to leave a voicemail.
12-Dec-2016	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
13-Dec-2016	3-Jan-2017	ICANN issues Notice of Breach to Registrar. No response received from Registrar.
13-Dec-2016	N/A	ICANN sent Notice of Breach via fax to +86 25 8475 2360. Fax unsuccessful.
13-Dec-2016	N/A	ICANN sent Notice of Breach via courier to Registrar Primary Contact postal address. Delivery unsuccessful.
4-Jan-2017	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.