



The Internet Corporation for Assigned Names and Numbers

13 December 2016

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Stefan Hansmann  
Nanjing Imperiosus Technology Co. Ltd. (IANA #953)  
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China

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Fax: +86 25 8475 2360

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

Dear Stefan Hansmann,

Please be advised that as of 13 December 2016, Nanjing Imperiosus Technology Co. Ltd. (“Nanjing Imperiosus”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 26 July 2015 (“RAA”). This breach results from:

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; and
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.

Please refer to the attachment for details regarding this breach.

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In addition, Nanjing Imperiosus has been deemed noncompliant in the following area:

1. Nanjing Imperiosus' failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

#### Additional Concerns

On 12 October 2016, ICANN issued a notice of breach against Nanjing Imperiosus, which was escalated on 24 November 2016 with a notice of suspension.

By not providing requested documentation related to the abuse report detailed in the Abuse chronology below, Nanjing Imperiosus has failed to demonstrate compliance with Section 3.18.1 of the RAA, which requires registrars to take reasonable and prompt steps to investigate and respond appropriately to reports of abuse.

ICANN also continues to be unable to contact Nanjing Imperiosus through telephone, facsimile or postal mail.

ICANN requests that Nanjing Imperiosus cure these breaches by 3 January 2017, 21 days from the date of this letter, by taking the following actions:

1. Provide information and records demonstrating that Nanjing Imperiosus took reasonable and prompt steps to investigate and respond appropriately to the report of abuse associated with the abuse compliance notices in the Abuse chronology below. This includes (a) copies of Nanjing Imperiosus' correspondence with the abuse reporter and with the Registered Name Holder(s) ("RNHs") of the domain names in the abuse report while investigating the report of abuse (including dates, times, means of inquiries, telephone numbers, e-mail addresses and postal addresses used), (b) the steps Nanjing Imperiosus took to address the abuse report, including all domain names in the report and (c) confirmation that the steps taken to resolve this matter will also apply to all existing and future abuse complaints, as applicable;
2. Provide records and information demonstrating that Nanjing Imperiosus took steps to validate and verify the Whois information of the domain names associated with the compliance notices in the Whois Inaccuracy chronology below, in accordance with the WAPS;



3. In the absence of such evidence requested in item #2, provide the corrective and preventative actions that Nanjing Imperiosus will take, with implementation date(s), to address its failure to comply with the WAPS requirements;
4. Provide ICANN with the action(s) that Nanjing Imperiosus will take, with implementation date(s), to ensure that its contact information is up to date, including its telephone and facsimile numbers and postal mail address; and
5. Pay all past due accreditation fees.

If Nanjing Imperiosus fails to timely cure the breaches and provide the information requested by 3 January 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,

A handwritten signature in blue ink, appearing to read "M Serad", is written over a light blue circular watermark.

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



## ATTACHMENT

### Failure to provide to ICANN records related to abuse reports

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. Nanjing Imperiosus' failure to provide ICANN with all records related to the abuse report is a breach of Section 3.18.3 of the RAA.

### Failure to validate and verify Whois data

Section 3.7.8 of the RAA requires registrars to comply with the obligations specified in the Whois Accuracy Program Specification (WAPS). 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. Nanjing Imperiosus' failure to provide documents and information demonstrating validation and verification of the Whois data for the domain names associated with the compliance notices in the Whois Inaccuracy chronology below 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. Nanjing Imperiosus' failure to provide the requested registration records and data related to the domain names in the compliance notices detailed in the Whois Inaccuracy chronology below is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

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

**Chronology (FPY-461-65564 Abuse):**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
28-Oct-2016	4-Nov-2016	ICANN sent 1st compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
31-Oct-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
1-Nov-2016	4-Nov-2016	ICANN sent follow-up compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
1-Nov-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
1-Nov-2016	4-Nov-2016	ICANN sent follow-up compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
2-Nov-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
7-Nov-2016	14-Nov-2016	ICANN sent 2nd compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
7-Nov-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
7-Nov-2016	14-Nov-2016	ICANN sent follow-up compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
8-Nov-2016	N/A	Emails from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
10-Nov-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
14-Nov-2016	21-Nov-2016	ICANN sent follow-up compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
15-Nov-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
15-Nov-2016	21-Nov-2016	ICANN sent follow-up compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
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 <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .

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 ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.
30-Nov-2016	5-Dec-2016	ICANN sent follow-up compliance notice via email to <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> .
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	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> .
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 ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) insufficient to demonstrate compliance.

Date of Notice	Deadline for Response	Details
16-Nov-2016	23-Nov-2016	ICANN sent follow-up 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> .
22-Nov-2016	N/A	Email from Registrar ( <a href="mailto:stefan@domainerschoice.com">stefan@domainerschoice.com</a> ) 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="mailto:info@domainerschoice.com">info@domainerschoice.com</a> and <a href="mailto: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	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.