

18 January 2022

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

[REDACTED]
HOAPDI INC. (IANA #1517)
[REDACTED]

[REDACTED]
HOAPDI INC. (IANA #1517)
[REDACTED]

Email: [REDACTED] and [REDACTED]
Fax: [REDACTED] and [REDACTED]

Dear [REDACTED]:

Please be advised that as of 18 January 2022, HOAPDI INC. (“HOAPDI” or “Registrar”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 19 June 2020 (“RAA”).

This breach results from:

1. HOAPDI’s failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

Please refer to the attachment for details regarding this breach.

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

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

Additional Concerns

During the complaint process, ICANN Contractual Compliance staff has been unable to contact HOAPDI via telephone. Currently, it is unclear if HOAPDI's contact details on file with ICANN remain accurate and in service.

Moreover, due to HOAPDI's failure to follow through on responses to inquiries through the compliance ticket RAL-476-18437, ICANN is unable to currently confirm whether HOAPDI has implemented a Registration Data Access Protocol ("RDAP") service as required by the Registration Data Directory Service (Whois) Specification of the RAA and the Interim Registration Data Policy for gTLDs (requiring HOAPDI to continue to implement measures consistent with the Temporary Specification for gTLD Registration Data).

Similarly, HOAPDI failed to respond to ICANN's numerous requests involving the requirement to complete and deliver the compliance certificate for year 2020 that is mandated by Section 3.15 of the RAA.

ICANN requests that HOAPDI cure these breaches by 8 February 2022, 21 days from the date of this letter, by taking the following actions:

1. Pay all past and currently due accreditation fees.
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 HOAPDI for each gTLD in which it is accredited.
3. Provide ICANN with evidence of having implemented an RDAP service and register the Registrar's RDAP Base URL through the Naming Services portal ("NSp").
4. Provide ICANN with the corrective and preventative action(s) that HOAPDI will take, with implementation date(s), to address its pattern of non-response to ICANN Contractual Compliance matters and to ensure it has provided ICANN with valid accurate and up-to-date contact details.
5. After curing all items in this Notice of Breach, provide a certificate executed by the president, chief executive officer, chief financial officer or chief operating officer (or their equivalents) of HOAPDI certifying compliance with the terms and conditions of the RAA ("compliance certificate").

If HOAPDI fails to timely cure the breaches and provide the information requested by 8 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 pay accreditation fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. HOAPDI owes ICANN past due accreditation fees, in breach of Section 3.9 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. HOAPDI's failure to provide an interactive webpage and port 43 Whois service is a breach of Section 3.3.1 of the RAA.

CHRONOLOGY

In the 1st, 2nd and 3rd compliance notices detailed in the chronology below, ICANN notified HOAPDI of the violations associated with the case, 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 HOAPDI in becoming compliant. All these attempts were unsuccessful.

Chronology (Case# 01042195):

Date of Notice	Deadline for Response	Details
24-Nov-2020 8-Dec-2020 21-Dec-2020 6-Jan-2021	N/A	ICANN sent detailed customer statements to HOAPDI INC. regarding past due fees.
13-Jan-2021	N/A	HOAPDI INC.'s past due fees were referred to ICANN Contractual Compliance.
12-May-2021	18-May-2021	ICANN sent 1st compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
1-Jul-2021	8-Jul-2021	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
2-Jul-2021	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail.
6-Jul-2021	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail.

Date of Notice	Deadline for Response	Details
30-Aug-2021	6-Sep-2021	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
30-Aug-2021	N/A	ICANN sent 3rd compliance notice via fax to [FAX REDACTED]. Fax unsuccessful.
3-Sep-2021	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail.
14-Jan-2022	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
18-Jan-2022	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation, and the issue remains unresolved.