



The Internet Corporation for Assigned Names and Numbers

12 October 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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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Stefan Hansmann,

Please be advised that as of 12 October 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 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.

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

1. Nanjing Imperiosus’ 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”);

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2. Nanjing Imperiosus' failure to clearly display on its website, and include a link in its registration agreement, to its renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP");
3. Nanjing Imperiosus' failure to provide a description on its website and in its registration agreement of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP; and
4. Nanjing Imperiosus' failure to display the correct ICANN logo on Nanjing Imperiosus' website, as required by the Logo License Specification of the RAA.

Additional Concerns

Nanjing Imperiosus exhibits a pattern of non-response to ICANN Contractual Compliance matters and, when responses are provided to ICANN, they are often untimely and incomplete. By not providing requested documentation, Nanjing Imperiosus has failed to demonstrate compliance with Section 3.7.7 of the RAA, which requires registrars to enter into a registration agreement with a person or legal entity other than itself unless the domain name is registered for the purpose of conducting Registrar Services, and Section 2 of the Whois Accuracy Program Specification (WAPS) of the RAA, which requires registrars to validate and verify updated Whois data in accordance with Section 1 of the WAPS.

ICANN requests that Nanjing Imperiosus cure these breaches by 2 November 2016, 21 days from the date of this letter, by taking the following actions:

1. Provide the number and complete list of domain names sponsored by Nanjing Imperiosus currently indicating "Stefan Hansmann" and/or "Nanjing Imperiosus Technology Co. Ltd." as the registrant name or organization in the Whois data;
2. Provide the number and complete list of domain names sponsored by Nanjing Imperiosus since 14 September 2016 (date of the 1st compliance notice) that indicated "Stefan Hansmann" and/or "Nanjing Imperiosus Technology Co. Ltd." as the registrant name or organization in the Whois data prior to any change to the Whois data, including due to transfer (for example <5mg-cialis20mg.com>, <acheterdutadalafil.com>, <viagra-100mgbestprice.net> and <100mgviagra-lowestprice.net>);
3. For each of the domain names identified in items #1 and #2 above, provide the following records to demonstrate compliance with Section 3.7.7 and the WAPS of the RAA:



- a. Evidence demonstrating a registration agreement with Nanjing Imperiosus was entered into, including the registrant information and date, time and mechanism by which the agreement was accepted by the registrant;
 - b. Evidence of the means and source of payment for the registration, and any renewal of registration;
 - c. Confirmation whether the domain name was registered by Nanjing Imperiosus for the purpose of conducting Registrar Services and if not, the corrective and preventative action(s) that Nanjing Imperiosus will take, with implementation date(s) to comply with Section 3.7.7 of the RAA; and
 - d. Evidence that Nanjing Imperiosus took steps to verify and validate any updated Whois data and if not available, the corrective and preventative action(s) that Nanjing Imperiosus will take, with implementation date(s) to comply with the WAPS of the RAA;
4. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification;
 5. Clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Nanjing Imperiosus' website and provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in Nanjing Imperiosus' registration agreement;
 6. Provide a description of the methods used to deliver pre- and post-expiration notifications on Nanjing Imperiosus' website, and include a description of its notification methods or a link to the applicable page(s) on its website where this information is available in Nanjing Imperiosus' registration agreement;
 7. Display the correct ICANN logo on Nanjing Imperiosus' website in accordance with the Logo License Specification of the RAA, or remove the ICANN logo from Nanjing Imperiosus' website; and
 8. Provide ICANN with the corrective and preventative action(s) that Nanjing Imperiosus will take, with implementation date(s), to address its pattern of untimely, incomplete and non-response to ICANN Contractual Compliance matters.



Stefan Hansmann
Nanjing Imperiosus Technology Co. Ltd.

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If Nanjing Imperiosus fails to timely cure the breaches and provide the information requested by 2 November 2016, ICANN may commence the RAA termination process.

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

Sincerely,

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

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

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 compliance notices detailed in the chronology below 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. Nanjing Imperiosus' failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA.

Failure to clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website and in 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. Nanjing Imperiosus' failure to provide a link or clearly display these fees on its website and in its registration agreement is a breach of Section 4.1 of the ERRP.

Failure to describe the methods used to deliver pre- and post-expiration notifications

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. Nanjing Imperiosus' failure to describe these notifications on its website and in its registration agreement is a breach of Section 4.2 of the ERRP.

Failure to display correct ICANN-Accredited Registrar logo

The Logo License Specification of the RAA requires registrars, if displaying the ICANN-Accredited Registrar logo, to use the logo displayed in the specification. Nanjing Imperiosus' use of a modified version of the ICANN-Accredited Registrar logo is a breach of the Logo License Specification of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
14-Sep-2016	21-Sep-2016	ICANN sent 1st compliance notice via email to stefan@domainerschoice.com . No response received from Registrar.
22-Sep-2016	29-Sep-2016	ICANN sent 2nd compliance notice via email to stefan@domainerschoice.com . No response received from Registrar.
28-Sep-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360. ICANN left voicemail with complaint details.
29-Sep-2016	6-Oct-2016	ICANN sent 3rd compliance notice via email to stefan@domainerschoice.com .
29-Sep-2016	N/A	ICANN sent 3rd compliance notice via facsimile to +86 25 8475 2360. Fax unsuccessful.
30-Sep-2016	N/A	ICANN called Primary Contact at +86 25 8475 2360. ICANN left voicemail containing complaint details.
3-Oct-2016	N/A	Email from Registrar (stefan@domainerschoice.com) insufficient to demonstrate compliance.
4-Oct-2016	6-Oct-2016	ICANN sent follow-up compliance notice via email to stefan@domainerschoice.com .
5-Oct-2016	N/A	Email from Registrar (stefan@domainerschoice.com) insufficient to demonstrate compliance.
5-Oct-2016	6-Oct-2016	ICANN sent follow-up compliance notice via email to stefan@domainerschoice.com .
6-Oct-2016	N/A	Email from Registrar (stefan@domainerschoice.com) insufficient to demonstrate compliance.



Date of Notice	Deadline for Response	Details
6-Oct-2016	6-Oct-2016	ICANN sent follow-up compliance notice via email to stefan@domainerschoice.com , docmanni@domainerschoice.com and moshef@galcomm.com .
7-Oct-2016	N/A	Emails from Registrar (stefan@domainerschoice.com) insufficient to demonstrate compliance.
10-Oct-2016	N/A	Email from Registrar (stefan@domainerschoice.com) insufficient to demonstrate compliance.
11-Oct-2016	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
12-Oct-2016	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.