01 July 2024

RE: NOTICE OF BREACH OF REGISTRY AGREEMENT

[REDACTED]
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. (nowruz, pars, shia, tci, xn--mgbt3dhd)
[REDACTED]

Emails: [REDACTED]
Fax: [REDACTED]

Dear [REDACTED]:

Please be advised that as of 01 July 2024, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. ("Asia Green") is in breach of its Registry Agreements with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 04 September 2014 (nowruz, pars, shia, xn--mgbt3dhd) and 12 September 2014 (tci) ("RAs"). This breach results from:

1. Asia Green's failure to comply with the Registry Performance Specifications, as required by Section 2.16 of the RAs and Section 2.1 of Specification 10 of the RAs, which resulted in exceeding the RDAP-RDDS emergency threshold described by Section 6.1 of Specification 10 of the RAs for nowruz, pars, shia, tci, and xn--mgbt3dhd.

Please refer to the attachment for details regarding this breach.

In addition, Asia Green has been deemed noncompliant in the following areas:

1. Asia Green's failure to deliver to ICANN monthly reports for the top-level domains (TLDs) nowruz, pars, shia, tci, and xn--mgbt3dhd within 20 calendar days following the end of each calendar month for the months March-May 2024, as required by Section 2.4 and Specification 3 of the RAs;

2. Asia Green's failure to provide ICANN access to bulk registration data for the TLDs nowruz, pars, shia, tci, and xn--mgbt3dhd, as required by Section 3 of Specification 4 of the RAs;

3. Asia Green's failure to timely pay past due fees for nowruz, pars, shia, tci, and xn--mgbt3dhd, as required by Article 6 of the RAs;

4. Asia Green's failure to comply with the registry data escrow procedures as set forth in Specification 2, as required by Section 2.3 and Specification 2 of the RA.

ICANN requests that Asia Green cure these breaches by 31 July 2024, 30 calendar days from the date of this letter, by taking the following actions:

1. Immediately restore the RDAP-RDDS, as required by Section 2.5 of the RA and Section 1 of Specification 4 of the RAs;

2. Submit to ICANN in the manner described in Specification 3 of the RA, Asia Green's monthly reports for the TLDs nowruz, pars, shia, tci, and xn--mgbt3dhd for the months March-May 2024, and continue making all required submissions for subsequent months;

3. Provide ICANN with weekly access to Asia Green's bulk registration data for the TLDs nowruz, pars, shia, tci, and xn--mgbt3dhd, as required by Section 3 of Specification 4 of the RAs;

4. Pay all past and currently due fees;

5. Comply with the registry data escrow procedures set forth in Specification 2 to the RAs; and,

6. Provide ICANN with corrective and preventative action(s), including implementation date(s), to ensure that Asia Green will comply with its RAs requirements, including but not limited to those listed above.

If Asia Green fails to timely cure the breaches and provide the information requested by 31 July 2024, ICANN may commence the RA termination process.

If you have questions or require assistance, please contact Jonathan Denison at [REDACTED].

Sincerely,

[SIGNATURE REDACTED]

Jamie Hedlund
Senior Vice President, Contractual Compliance and U.S. Government Engagement
Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to comply with the Registry Performance Specifications

Section 2.16 of the RA requires registry operators to comply with the Registry Performance Specifications for operation of the TLD as set forth in Specification 10 of the RA. Section 6 of Specification 10 of the RA presents the emergency thresholds that, if reached by any of the services related to DNS, EPP, RDAP-RDDS and Data Escrow for a TLD, would cause the emergency transition of the Registry for the TLD as specified in Section 2.13 of the RA. The emergency threshold defined for RDAP-RDDS is 24 hours of downtime per week. Asia Green's RDAP-RDDS for nowruz, pars, shia, tci, and xn--mgbt3dhd exceeded the emergency threshold as 28 June 2024. As a result, ICANN may invoke the emergency transition of the affected top-level domains (TLDs), as specified in Section 2.13 of the RA.

Failure to submit monthly reports

Section 2.4 of the RA requires registry operators to deliver to ICANN within twenty calendar days of the end of each calendar month reports in the format set forth in Specification 3 of the RA. Asia Green's failure to submit monthly reports for March-May 2024 within twenty calendar days of the end of each calendar month is a breach of Section 2.4 and Specification 3 of the RA.

Failure to provide ICANN access to bulk registration data

Section 3 of Specification 4 of the RA requires registry operators to provide ICANN with access to up-to-date Registration Data on a weekly basis in the manner and format specified, among other things. Asia Green's failure to provide ICANN with weekly access to its bulk registration data is a breach of Section 3 of Specification 4 of the RA.

Failure to pay fees

Article 6 of the RA requires registry operators to pay Registry-Level Fees on a quarterly basis within 30 calendar days following the date of the invoice provided by ICANN. Asia Green owes ICANN past due fees, in breach of Article 6 of the RA.

Failure to comply with the registry data escrow procedures

Section 2.3 of the RA requires registry operators to comply with the registry data escrow procedures set forth in Specification 2 to the RA within fourteen (14) calendar days after delegation. Asia Green's failure to comply with the registry data escrow procedures set forth in Specification 2, including notification of deposits requirements, is a breach of Section 2.3 and Specification 2 of the RA.

Chronology:

Date of Notice	Deadline for Response	Details
28-Jun-2024	N/A	ICANN sent Escalated Notice via email to [EMAIL REDACTED], [EMAIL REDACTED], and [EMAIL REDACTED].
28-Jun-2024	N/A	ICANN sent Escalated Notice via facsimile to [FAX REDACTED]. Fax unsuccessful.
28-Jun-2024	N/A	ICANN called Compliance Contact at [TELEPHONE REDACTED] and provided Compliance Contact with complaint details.
1-Jul-2024	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
1-Jul-2024	N/A	To date, the Registry Operator has not responded to ICANN and the issue remains unresolved.