

29 April 2022

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

RE: NOTICE OF BREACH OF REGISTRY AGREEMENT

[REDACTED]

Joint Stock Company "Navigation-information systems" (gdn)

[REDACTED]

Email: [REDACTED]

Fax: [REDACTED]

Dear [REDACTED]:

Please be advised that as of 29 April 2022, Joint Stock Company "Navigation-information systems" ("Navigation-information systems") is in breach of its Registry Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 31 July 2014 ("RA"). This breach results from:

1. Navigation-information systems' failure to comply with the Registry Performance Specifications for operation of the top-level domain ("TLD") as required by Section 2.16 of the RA, and as set forth in Specification 10 of the RA. Specifically, Navigation-information systems' Registration Data Directory Service ("RDDS") exhibited downtime between 2022-04-22 10:45 UTC and 2022-04-24 00:05 UTC, which ultimately resulted in exceeding the Emergency Threshold under Section 6 of Specification 10.
2. Navigation-information systems' failure to timely pay past due fees, as required by Article 6 of the RA.

Please refer to the attachment for details regarding this breach.

Additional Concerns

This is not the first incident ICANN has observed regarding Navigation-information systems' RDDS downtimes. On 15 April 2018 and 20 August 2019, Navigation-information systems received Escalated compliance notices due to RDDS downtimes which exceeded 100% of the Emergency Thresholds. The particular causes for each failure were remediated and, upon ICANN's request, Navigation-information systems confirmed it had implemented corrective and preventive measures to prevent these failures from reoccurring. Seven months after those incidents, another failure took place which could have resulted in the emergency transition of the TLD gdn to an emergency interim registry operator (EBERO). This incident resulted in a Notice of Breach that was issued on 8 April 2021. Following the Notice of Breach, Navigation-information systems confirmed it had once again implemented corrective and preventive measures to prevent these failures from reoccurring. Nevertheless, Navigation-information systems has again exhibited failures in the ability to comply with the Registry Performance

Specifications as required by Section 2.16 of the RA, and as set forth in Specification 10 of the RA.

In addition, during the incident that began on 22 April 2022, ICANN experienced periodic difficulties in reaching Navigation-information systems' 24x7 Emergency Contacts. When able to reach a Contact, ICANN was informed that the Contact was incapable of assisting ICANN in troubleshooting the incident.

Finally, due to Navigation-information systems' failure to fully respond to inquiries through the compliance ticket BTI-946-16116, ICANN is unable to confirm whether Navigation-information systems has implemented a Registration Data Access Protocol ("RDAP") service as required by Specification 4 of the RA and the Interim Registration Data Policy for gTLDs (requiring Navigation-information systems to continue to implement measures consistent with the Temporary Specification for gTLD Registration Data).

Due to the repeated failures of a critical function that Navigation-information systems claimed it had previously remediated, and in light of the concerns noted above, ICANN is escalating this matter by issuing this Notice of Breach.

ICANN requests that Navigation-information systems' cure these breaches by 29 May 2022, 30 calendar days from the date of this letter, by taking the following actions:

1. Provide ICANN with corrective and preventive measures, including implementation dates and milestones beyond those presented in response to the previous incidents, to ensure that Navigation-information systems will consistently comply with the Registry Performance Specifications for operation of the TLD as required by Section 2.16 of the RA, and as set forth in Specification 10 of the RA.
2. Pay all past and currently due fees.
3. Provide ICANN with evidence of having implemented an RDAP service and register your registry operator's RDAP Base URL through the IANA's Bootstrap Service registry for Domain Name Space via the IANA Root Zone Management system.
4. Provide ICANN with the corrective and preventative action(s) that Navigation-information systems 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.

If Navigation-information systems fails to timely cure the breaches and provide the information requested by 29 May 2022 ICANN may commence the RA termination process.

If you have questions or require assistance, please contact Jonathan Denison at [EMAIL 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 Registry Performance Specifications

Section 2.16 of the RA requires registry operators to comply with the Registry Performance Specifications set forth in Specification 10 of the RA. From 2022-04-22 10:45 UTC to 2022-04-24 00:05 UTC, Navigation-information systems' RDDS failed to respond to 51% or more of the RDDS testing probes. As a result, the downtime reached the Emergency Threshold of 24-hour total downtime / week set forth by Section 6 of Specification 10 of the RA. The RDDS availability was restored; however, the total downtime period eventually reached 147.222% of the Emergency Threshold.

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. Navigation-information systems owes ICANN past due fees, in breach of Article 6 of the RA.