



1 November 2017

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Marije Vaders
Gesloten Domain N.V. (IANA #1506)
96 Pietermaai
Curacao
Netherlands Antilles

Email: marije@gesloten.cw
Fax: +599 9 465 4695

Dear Marije Vaders,

Please be advised that as of 1 November 2017, Gesloten Domain N.V. ("Gesloten Domain") is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 15 April 2015 ("RAA"). This breach results from:

1. Gesloten Domain's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:
 - a. Failure to provide documents and information, as required by Section 3.15 of the RAA; and
 - b. 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, Gesloten Domain has been deemed noncompliant in the following areas:

1. Gesloten Domain's 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") and the Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (Whois) Specifications ("Clarifications");
2. Gesloten Domain's failure to publish Gesloten Domain's correspondence address on its website, as required by Section 3.17 and Section 7 of the Registrar Information Specification ("RIS") of the RAA;

3. Gesloten Domain's failure to 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"); and
4. Gesloten Domain's failure to provide in Gesloten Domain's registration agreement a description of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP.

ICANN requests that Gesloten Domain cure these breaches by 22 November 2017, 21 days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase by:
 - a. Contacting complianceaudit@icann.org to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
 - b. Completing the RFI and providing all supporting documentation through the Site;
2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification and Clarifications;
3. Publish on Gesloten Domain's website the correspondence address of Gesloten Domain as specified in the RIS, or, update Gesloten Domain's RIS form to reflect the correspondence address published on Gesloten Domain's website;
4. Provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in Gesloten Domain's registration agreement;
5. Include a description of its pre- and post-expiration notification methods or a link to the applicable page(s) on its website where this information is available in Gesloten Domain's registration agreements; and
6. Provide the corrective and preventative action(s) that Gesloten Domain will take, with implementation date(s), to ensure complete and timely responses to ICANN Contractual Compliance matters.

If Gesloten Domain fails to timely cure the breaches and provide the information requested by 22 November 2017, ICANN may commence the RAA termination process.

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

Sincerely,



Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to provide documents and information for audit

Section 3.15 of the RAA requires Gesloten Domain, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by Gesloten Domain necessary to demonstrate compliance with the terms of the RAA. As detailed in the chronology below, ICANN sent Gesloten Domain multiple notices regarding the requirements of ICANN's Audit Program. Gesloten Domain's failure to respond and provide the requested documents and information in response to the audit is a breach of Section 3.15 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. Additional specifications to the format of Whois query responses are contained in the Clarifications. Gesloten Domain's failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA and the Clarifications.

Failure to publish registrar's correspondence address on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Gesloten Domain's failure to publish its RIS correspondence address on Gesloten Domain's website is a breach of Section 3.17 of the RAA and Section 7 of the RIS.

Failure to clearly display renewal fees, post-expiration renewal fees (if different) and redemption/restore fees 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. Gesloten Domain's failure to provide a link 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. Gesloten Domain's failure to describe these notifications in its registration agreement is a breach of Section 4.2 of the ERRP.

Chronology:

Date of Notice	Deadline for Response	Details
18-Sep-2017	9-Oct-2017	ICANN sent 1st compliance notice via email to marije@gesloten.cw . No response received from Registrar.
10-Oct-2017	17-Oct-2017	ICANN sent 2nd compliance notice via email to marije@gesloten.cw and admin@gesloten.cw .
12-Oct-2017	N/A	ICANN called Primary Contact at +1 888 254 9633. ICANN left voicemail with complaint details.
12-Oct-2017	N/A	Email from Registrar (marije@gesloten.cw) confirming receipt and insufficient to demonstrate compliance.
18-Oct-2017	25-Oct-2017	ICANN sent 3rd compliance notice via email to marije@gesloten.cw and admin@gesloten.cw . No response received from Registrar.
19-Oct-2017	N/A	ICANN sent 3rd compliance notice via fax to +599 9 465 4695. Fax successful.
19-Oct-2017	N/A	ICANN called Primary Contact at +1 888 254 9633. ICANN left voicemail with complaint details.
31-Oct-2017	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
1-Nov-2017	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.