



The Internet Corporation for Assigned Names and Numbers

TRANSMITTED VIA FACSIMILE, ELECTRONIC MAIL & COURIER SERVICE

8 October 2009

Mr. Michael Bahlitzanakis
CodyCorp.com Inc. (IANA ID #905)
155-14 14th Avenue
Beechurst, New York 11357
United States

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Bahlitzanakis:

Be advised that as of the date of this letter, CodyCorp.com Inc. (CodyCorp) is in breach of the Internet Corporation for Assigned Names and Numbers (ICANN) Registrar Accreditation Agreement (RAA). These breaches result from CodyCorp's failure to escrow gTLD registration data pursuant to Section 3.6 of the RAA and failure to provide public access to data on registered names pursuant to Section 3.3.1 of the RAA. Should CodyCorp fail to cure the breaches cited herein within 15 working days, ICANN may commence the termination process as set forth in Section 5.3.4 of the RAA.

Failure to Escrow gTLD Registration Data

Section 3.6 of the RAA requires CodyCorp, "on a schedule, under the terms, and in the format specified by ICANN" to "submit an electronic copy of the database described in Subsection 3.4.1 [of the RAA] to ICANN or, at Registrar's election and at its expense, to a reputable escrow agent mutually approved by Registrar and ICANN."

To date, CodyCorp has failed to comply with its obligation pursuant to RAA Section 3.6 by not escrowing data with Iron Mountain Intellectual Property Management, Inc. ("Iron Mountain"), the ICANN approved escrow agent, or another reputable escrow agent approved by ICANN.

ICANN and Iron Mountain provided notice to CodyCorp of CodyCorp's obligation to comply with RAA Section 3.6 on numerous occasions. Despite these notices, as of the date of this letter, CodyCorp has failed to engage an approved escrow agent and begin

escrowing data pursuant to Section 3.6 of the RAA, constituting a breach of Section 3.6 of the RAA.

Failure to Provide Public Access to Data on Registered Names

Section 3.3.1 of the RAA requires CodyCorp to “provide an interactive web page and a port 43 Whois service providing free public query-based access to up-to-date (i.e., updated at least daily) data concerning all active Registered Names sponsored by Registrar for each TLD in which it is accredited,” such data to include:

- 3.3.1.1 The name of the Registered Name;
- 3.3.1.2 The names of the primary nameserver and secondary nameserver(s) for the Registered Name;
- 3.3.1.3 The identity of Registrar (which may be provided through Registrar's website);
- 3.3.1.4 The original creation date of the registration;
- 3.3.1.5 The expiration date of the registration;
- 3.3.1.6 The name and postal address of the Registered Name Holder;
- 3.3.1.7 The name, postal address, e-mail address, voice telephone number, and (where available) fax number of the technical contact for the Registered Name; and
- 3.3.1.8 The name, postal address, e-mail address, voice telephone number, and (where available) fax number of the administrative contact for the Registered Name.

ICANN attempted to access CodyCorp's web-based and port 43 Whois services several times over the past two weeks, including an attempt today. ICANN's attempts have been unsuccessful; CodyCorp does not have a working interactive web page and its port 43 Whois service is not functional. CodyCorp's failure to provide a working interactive web page and port 43 Whois service is a violation of Section 3.3 of the RAA.

Conclusion

As previously stated, ICANN may terminate the RAA before its expiration if a registrar fails to cure any breach of the agreement within fifteen working days after ICANN gives the registrar notice of breach, pursuant to Section 5.3.4. Should CodyCorp fail to cure the breaches cited herein by 29 October 2009, ICANN may commence the termination process.

Finally, this notice of breach of RAA is made without prejudice to any and all right and remedies available to ICANN, including, without limitation, ICANN's previous termination rights related to CodyCorp's failure to pay accreditation fees as set forth in ICANN's Notice of Breach dated 20 April 2009. ICANN specifically reserves the right to pursue any and all other breaches in addition to the breaches enumerated above and nothing herein shall be deemed a waiver of that right.

Notice of Breach of Registrar Accreditation Agreement
Michael Bahlitzanakis, CodyCorp.com Inc
8 October 2009
Page 3 of 3

Please contact me at stacy.burnette@icann.org should you have questions.

Very truly yours,

A handwritten signature in blue ink that reads "Stacy Burnette". The signature is written in a cursive, flowing style.

Stacy Burnette
Director
Contractual Compliance
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