

11 January 2019

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

**RE: NOTICE OF BREACH OF REGISTRY AGREEMENT**

John McCabe  
Who's Who Registry (whoswho)  
P.O. Box 800  
New York, New York 10024  
United States

Email: [mccabe@whoswhos.com](mailto:mccabe@whoswhos.com)  
Fax: +1 2128771905

Dear John McCabe,

Please be advised that as of 11 January 2019, Who's Who Registry is in breach of its Registry Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 20 February 2014 ("RA"). This breach results from:

1. Who's Who Registry's 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.

In addition, Who's Who Registry has been deemed noncompliant in the following areas:

1. Who's Who Registry's failure to provide domain name data in the specified response format, as required by Section 1 of Specification 4 of the RA, the Advisory: Clarifications to the Registry and Registrar Requirements for WHOIS (port 43) and Web-Based Directory Services ("Clarifications") and the Additional Whois Information Policy ("AWIP"); and
2. Who's Who Registry's failure to publish on its website the DNSSEC Practice Statements ("DPS") describing critical security controls and procedures for key material storage, access and usage for its own keys and secure acceptance of registrants' public-key material, as required by Section 1.3 of Specification 6 of the RA.

ICANN requests that Who's Who Registry cure these breaches by 10 February 2019, 30 days from the date of this letter, by taking the following actions:

1. Display domain name data in the specified response format, as required by Section 1 of Specification 4 of the RA, Clarifications and AWIP;

2. Publish on Who's Who Registry's website the DPS following the format described in RFC 6841;
3. Provide ICANN with corrective and preventative action(s), including implementation date(s), to ensure that Who's Who Registry will:
  - a. timely and completely respond to ICANN Contractual Compliance matters; and
  - b. timely make payment of its ICANN fees; and
4. Pay all past and currently due fees.

If Who's Who Registry fails to timely cure the breaches and provide the information requested by 10 February 2019, ICANN may commence the RA termination process.

If you have questions or require assistance, please contact Jennifer Scott at [jennifer.scott@icann.org](mailto:jennifer.scott@icann.org).

Sincerely,



Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

## ATTACHMENT

### 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. Who's Who Registry owes ICANN past due fees, in breach of Article 6 of the RA.

### Failure to display required Whois format

Section 2.5 of the RA requires registry operators to provide public access to registration data in accordance with Specification 4 of the RA. Section 1 of Specification 4 of the RA requires registry operators to display domain name data in a specified format for Whois query responses. The format of Whois query responses shall contain the minimum elements, and follow a semi-free text format, outlined in Section 1 of Specification 4 of the RA. Additional specifications to the format of Whois query responses are contained in the Clarifications and AWIP. Section 2.2 of the RA requires registry operators to comply with and implement all Consensus Policies, including the AWIP. Who's Who Registry's failure to display Whois data in the specified format is a breach of Section 1 of Specification 4 of the RA, Section 2.2 of the RA, the Clarifications and AWIP.

### Failure to publish DNSSEC Practice Statement on website

Section 1.3 of Specification 6 of the RA requires registry operators to, among other things, publish on its website the DPS describing critical security controls and procedures for key material storage, access and usage for its own keys and secure acceptance of registrants' public-key material following the format described in RFC 6841. Who's Who Registry's failure to publish DPS on its website is a breach of Section 1.3 of Specification 6 of the RA.

### **Chronology:**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
9-Oct-2018 21-Nov-2018 28-Nov-2018	N/A	ICANN sent detailed customer statements to Who's Who Registry regarding past due fees.
4-Dec-2018	N/A	Who's Who Registry's past due fees were referred to ICANN Contractual Compliance.
6-Dec-2018	13-Dec-2018	ICANN sent 1st compliance notice via email to <a href="mailto:mccabe@whoswho.com">mccabe@whoswho.com</a> . No response received from Registry Operator.
14-Dec-2018	21-Dec-2018	ICANN sent 2nd compliance notice via email to <a href="mailto:mccabe@whoswho.com">mccabe@whoswho.com</a> . No response received from Registry Operator.

Date of Notice	Deadline for Response	Details
14-Dec-2018	N/A	ICANN called Compliance Contact at mobile number [NUMBER REDACTED] and +1 2128778943. Left voicemails with complaint details.
3-Jan-2019	10-Jan-2019	ICANN sent 3rd compliance notice via email to <a href="mailto:mccabe@whoswho.com">mccabe@whoswho.com</a> . No response received from Registry Operator.
3-Jan-2019	N/A	ICANN sent 3rd compliance notice via fax to +1 2128771905. Fax successful.
3-Jan-2019	N/A	ICANN called Compliance Contact at +1 2128778943 and provided Compliance Contact with complaint details.
10-Jan-2019	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
11-Jan-2019	N/A	To date, the Registry Operator has not made full payment of past due fees and the issue remains unresolved.