

24 October 2018

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

James Archer
NameStream.com, Inc. (IANA #725)
1102 Pontiac Av, STE C
Cranston RI 02920
United States

Email: jarcher@registrationtek.com and compliance@regtek.com
Fax: +1 401 679 4420

Dear James Archer,

Please be advised that as of 24 October 2018, NameStream.com, Inc. (“NameStream.com”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 7 August 2014 (“RAA”). This breach results from:

1. NameStream.com’s failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

Please refer to the attachment for details regarding this breach.

In addition, NameStream.com has been deemed noncompliant in the following area:

1. NameStream.com’s failure to provide a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by NameStream.com in any generic top-level domain (gTLD) operating a “thin” registry, as required by Section 3.3.1 of the RAA.

Additional Concerns

Due to the unavailability of a registrar Whois output by NameStream.com, ICANN is unable to currently confirm NameStream.com's compliance with Whois formatting requirements.

Additionally, the number of second level domain names (SLDs) being reported as registered by NameStream.com is not consistent with the number of SLDs contained in NameStream.com's escrow deposits.

ICANN requests that NameStream.com cure these breaches by 14 November 2018, 21 days from the date of this letter, by taking the following actions:

1. Provide a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by NameStream.com in any gTLD operating a “thin” registry;
2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification and additional Whois formatting requirements;
3. Confirm NameStream.com’s compliance with the data escrow requirements of Section 3.6 of the RAA and provide explanation to address the inconsistent number of SLDs noted above;
4. Provide ICANN with corrective and preventative action(s), including implementation date(s), to ensure that NameStream.com will:
 - a. timely and fully respond to ICANN Contractual Compliance matters; and
 - b. timely make payment of its ICANN fees; and
5. Pay all past and currently due accreditation fees.

If NameStream.com fails to timely cure the breaches and provide the information requested by 14 November 2018, 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 pay accreditation fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. NameStream.com owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

Failure to provide port 43 Whois service

Section 3.3.1 of the RAA requires registrars to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by the registrar. NameStream.com's failure to provide a port 43 Whois service is a breach of Section 3.3.1 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
7-Mar-2018 25-Jun-2018 10-Jul-2018	N/A	ICANN sent detailed customer statements to NameStream.com regarding past due fees.
19-Sep-2018	N/A	NameStream.com's past due fees were referred to ICANN Contractual Compliance.
28-Sep-2018	5-Oct-2018	ICANN sent 1st compliance notice via email to jarcher@registrationtek.com , support@registrationtek.com and compliance@regtek.com .
28-Sep-2018	N/A	Email from Registrar (support@registrationtek.com) (auto-response) insufficient to demonstrate compliance.
7-Oct-2018	15-Oct-2018	ICANN sent 2nd compliance notice via email to jarcher@registrationtek.com , support@registrationtek.com and compliance@regtek.com .
7-Oct-2018	N/A	Email from Registrar (support@registrationtek.com) (auto-response) insufficient to demonstrate compliance.
10-Oct-2018	N/A	ICANN called Primary Contact at +1 401 648 2123. No answer and no ability to leave a voicemail. ICANN called Primary Contact at mobile number [NUMBER REDACTED] and left voicemail with complaint details.
16-Oct-2018	23-Oct-2018	ICANN sent 3rd compliance notice via email to jarcher@registrationtek.com , support@registrationtek.com and compliance@regtek.com .
16-Oct-2018	N/A	Email from Registrar (support@registrationtek.com) (auto-response) insufficient to demonstrate compliance.
16-Oct-2018	N/A	ICANN sent 3rd compliance notice via fax to +1 401 679 4420. Fax unsuccessful.

Date of Notice	Deadline for Response	Details
17-Oct-2018	N/A	ICANN called Primary Contact at +1 401 648 2123. No answer and no ability to leave a voicemail. ICANN called Primary Contact at mobile number [NUMBER REDACTED] and provided Primary Contact with complaint details.
23-Oct-2018	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
24-Oct-2018	N/A	To date, the Registrar has not made full payment of past due fees or responded to ICANN with the requested information and the issue remains unresolved.