



The Internet Corporation for Assigned Names and Numbers

24 April 2017

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Horacio Nicolas
Virtucom Networks S.A. (IANA #1468)
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Argentina

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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Horacio Nicolas,

Please be advised that as of 24 April 2017, Virtucom Networks S.A. (“Virtucom”) is in breach of its 2013 Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 17 September 2014 (“RAA”). This breach results from:

1. Virtucom’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, Virtucom has been deemed noncompliant in the following areas:

1. Virtucom’s failure to provide and maintain accurate and current information, and publish information on Virtucom’s website, as specified in the Registrar Information Specification (“RIS”), as required by Section 3.17 of the RAA;
2. Virtucom’s failure to publish an email address to receive abuse reports on the home page of Virtucom’s website, as required by Section 3.18.1 of the RAA;

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3. Virtucom's failure to publish on its website a description of Virtucom's procedures for the receipt, handling and tracking of abuse reports, as required by Section 3.18.3 of the RAA;
4. Virtucom's failure to display Virtucom's deletion policy on Virtucom's website, as required by Section 3.7.5.5 of the RAA;
5. Virtucom's failure to clearly display on Virtucom's website, and 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");
6. Virtucom's failure to provide on Virtucom's website and in its registration agreement, a description of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP;
7. Virtucom's failure to clearly display a link on Virtucom's website to ICANN's Registrant Educational Information webpage, as required by Section 3.16 of the RAA; and
8. Virtucom's failure to publish on Virtucom's website(s) and/or provide a link on its website to the Registrants' Benefits and Responsibilities Specification, as required by Section 3.7.10 of the RAA.

Additional Concerns

Virtucom has previously failed to make timely payment of its accreditation fees and has previously remediated certain failures of the above-referenced website publication obligations.

ICANN requests that Virtucom cure these breaches by 15 May 2017, 21 days from the date of this letter, by taking the following actions:

1. Provide ICANN with a completed RIS form, including accurate and current information, the required supporting documentation and the location of any applicable information published on Virtucom's website, as required by Section 3.17 of the RAA;
2. Publish an email address to receive abuse reports on the home page of Virtucom's website;
3. Publish a description of Virtucom's procedures for the receipt, handling and tracking of abuse reports on Virtucom's website;



4. Publish Virtucom's deletion policy details on Virtucom's website;
5. Clearly display renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Virtucom's website and provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in Virtucom's registration agreement;
6. Provide a description of the methods used to deliver pre- and post-expiration notifications on Virtucom's website, and include a description of its notification methods or a link to the applicable page(s) on its website where this information is available in Virtucom's registration agreements;
7. Clearly display a link to ICANN's Registrant Educational Information webpage on Virtucom's website;
8. Publish on Virtucom's website(s) and/or provide a link on its website to the Registrants' Benefits and Responsibilities Specification;
9. Provide ICANN with corrective and preventative action(s), including implementation date(s), to ensure that Virtucom will timely make payments, timely respond to ICANN compliance matters and remain in compliance for previously remediated areas of noncompliance; and
10. Pay all past due accreditation fees.

If Virtucom fails to timely cure the breaches and provide the information requested by 15 May 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,

A handwritten signature in blue ink, appearing to read "Maguy Serad". The signature is fluid and cursive.

Maguy Serad



Horacio Nicolas
Virtucom Networks S.A.

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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. Virtucom owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

Failure to provide and maintain required contact information

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

Failure to publish an email address to receive reports of abuse

Section 3.18.1 of the RAA requires registrars to publish on the home page of their website an email address to receive abuse reports. Virtucom's failure to publish an email address on the home page of its website to receive abuse reports is a breach of Section 3.18.1 of the RAA.

Failure to publish a description of procedures for receipt, handling and tracking of abuse reports

Section 3.18.3 of the RAA requires registrars to publish on their website a description of their procedures for the receipt, handling and tracking of abuse reports. Virtucom's failure to publish a description of its procedures for the receipt, handling and tracking of abuse reports on its website is a breach of Section 3.18.3 of the RAA.

Failure to publish deletion and auto-renewal policies on website

Section 3.7.5.5 of the RAA requires registrars that operate a website for domain name registration or renewal to clearly display details of the registrar's deletion and auto-renewal policies on the registrar's website. Virtucom's failure to clearly display its deletion policy on its website is a breach of Section 3.7.5.5 of the RAA.

Failure to clearly display renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website and 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 Registered Name Holders (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. Virtucom's failure to provide a link in its registration agreement or clearly display these fees on its website 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. Virtucom's failure to describe these notifications on its website and in its registration agreement is a breach of Section 4.2 of the ERRP.

Failure to display a link to ICANN's Registrant Education Information Webpage

Section 3.16 of the RAA requires registrars to clearly display a link on its website to ICANN's Registrant Educational Information webpage. Virtucom's failure to provide a link to ICANN's Registrant Educational Information webpage on its website is a breach of Section 3.16 of the RAA.

Failure to publish on Virtucom's website(s) and/or provide a link to the Registrants' Benefits and Responsibilities Specification

Section 3.7.10 of the RAA requires registrars to publish on its website(s) and/or provide a link on its website to the Registrants' Benefits and Responsibilities Specification attached to the RAA. Virtucom's failure to publish on its website or provide a link on its website to the Registrants' Benefits and Responsibilities Specification is a breach of Section 3.7.10 of the RAA.

Chronology:

| Date of Notice | Deadline for Response | Details |
|--|-----------------------|---|
| 15-Sep-2016 29-Sep-2016 13-Oct-2016 13-Mar-2017 | N/A | ICANN sent detailed customer statements to Virtucom Networks S.A. regarding past due accreditation fees. |
| 24-Mar-2017 | 31-Mar-2017 | ICANN sent 1st compliance notice via email to hnicolas@towebs.com . No response received from Registrar. |
| 3-Apr-2017 | 10-Apr-2017 | ICANN sent 2nd compliance notice via email to hnicolas@towebs.com . No response received from Registrar. |
| 4-Apr-2017 | N/A | ICANN called Primary Contact at +54 11 5031 1111. No answer and no ability to leave a voicemail. |
| 11-Apr-2017 | 18-Apr-2017 | ICANN sent 3rd compliance notice via email to hnicolas@towebs.com . No response received from Registrar. |
| 12-Apr-2017 | N/A | ICANN sent 3rd compliance notice via fax to +54 11 5031 1111. Fax unsuccessful. |
| 13-Apr-2017 | N/A | ICANN called Primary Contact at +54 11 5031 1111. ICANN provided Registrar Representative with complaint details. |
| 21-Apr-2017 | N/A | ICANN conducted compliance check to determine other areas of noncompliance. |
| 24-Apr-2017 | N/A | To date, the Registrar has not responded to ICANN with the requested information or made payment and the issue remains unresolved. |