



The Internet Corporation for Assigned Names and Numbers

21 September 2012

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Mr. Alfred Mak
0101 Internet, Inc. (IANA ID# 816)
Rm. 1604, 16/F, World Peace Ctr. 55 Wo Tong Tsui St.
Kwai Chung New Territories
Hong Kong

E-mail: contact@0101domain.com
Fax Number: +852 2219 0101

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Mak:

Please be advised that as of 21 September 2012, 0101 Internet, Inc. ("0101 Internet") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 11 September 2009 ("RAA"). These breaches result from:

1. Failure to maintain, and make available to ICANN upon reasonable notice, copies of any written communications between 0101 Internet and the Registered Name Holders concerning the domain name <viagrabuy.org>, pursuant to Sections 3.4.2 and 3.4.3 of the RAA; and
2. Failure to timely pay accreditation fees pursuant to Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches.

ICANN requests that 0101 Internet cure the breaches by 12 October 2012, 15 working days from the date of this letter, by taking the following actions:

Washington, DC	1101 New York Avenue, NW, Suite 930	Washington, DC 20005	USA	T +1 202 570 7240	F +1 202 789 0104
Los Angeles	12025 Waterfront Drive, Suite 300	Los Angeles, CA 90994	USA	T +1 310 823 9358	F +1 310 823 8649
Brussels	6 Rond Point Schuman, Bt. 5	B-1040 Brussels	BELGIUM	T +32 2 234 7870	F +32 2 234 7848
Sydney	Level 2, 48 Hunter Street	Sydney NSW 2000	AUSTRALIA	T +61 2 8236 7900	F +61 2 8236 7913

One World. One Internet



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1. Provide copies of all written communications between 0101 Internet and the Registered Name Holders for the domain name <viagrabuy.org> for the period 12 October 2010 through 25 April 2012, pursuant to Section 3.4.3 of the RAA; and
2. Pay all past due accreditation fees in the amount of \$14,026.71.

Additional Concerns and Request for Information

In addition, WIPO Arbitration and Mediation Center (“Center”) brought a matter to ICANN’s attention on 17 July 2012 regarding your registrar’s conduct concerning the Uniform Domain Name Dispute Resolution Policy (“UDRP”) and the Rules for UDRP (“UDRP Rules”).

0101 Internet’s conduct was noted as matter of concern in the administrative panel decision in Pfizer Inc. v. Domain Admin, Sergey Mishin / Sergey Nikolaev Case No. D2012-0658 concerning domain the name <viagrabuy.org> (“Decision”) <http://www.wipo.int/amc/en/domains/search/text.jsp?case=D2012-0658> and, as a result, an administrative panel procedural order no. 1 was issued to 0101 Internet and attached to the Decision.

Based on the procedural history, the concern set out in the Decision and the fact that 0101 Internet has not responded to the Center’s procedural order, ICANN requests that 0101 Internet provide the following on or before 12 October 2012:

1. A detailed explanation regarding the “system glitch” that purportedly caused the transfer of the domain name <viagrabuy.org> to another holder and another registrar, despite that 0101 Internet stated in its response to the Center’s verification request on 17 April 2012 that it has placed the domain name on “registrar lock”;
2. Details regarding any new processes implemented by 0101 Internet to ensure that it provides timely responses to UDRP dispute resolution provider verification requests; and



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3. Details regarding any processes or tools that 0101 Internet proposes to or has put in place to ensure compliance with its obligations under the UDRP and UDRP Rules.

If 0101 Internet fails to timely cure these breaches and provide the information requested, ICANN may commence the termination process.

If you have questions or require assistance, please contact Stacy Burnette at stacy.burnette@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Maguy Serad", is written over a light blue circular watermark.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary
Stacy Burnette, Director, Contractual Compliance

Enclosure: Customer Statement



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ATTACHMENT

Background Information

According to the Decision, 0101 Internet:

1. Failed to timely respond to the Center's verification request concerning the domain name <viagrabuy.org>;
2. Failed to "lock" the domain name <viagrabuy.org>, which caused the transfer of the domain name to another registrar and another registrant, contrary to paragraphs 8(a) and 8(b) of the UDRP; and
3. Failed to timely respond to verification requests from the Center in two other UDRP matters.

While the UDRP does not explicitly address the verification process that dispute resolution providers use to verify information required pursuant to Paragraphs 2(a) and 4 of the UDRP Rules, registrars play a key part in the UDRP process and are strongly encouraged to timely cooperate with ICANN-approved dispute resolution providers during the verification process to assist in the efficient resolution of UDRP matters.

As stated in the Decision, failure to timely respond to verification requests results in delayed proceedings, which is disadvantageous for the complainant, and provides "...an opportunity for "cyberflight" by those who seek to circumvent or at least delay the operation of the Policy." However, in the matter concerning the domain name <viagrabuy.org>, the Center requested that the registrar respond to its verification request in two days. 0101 Internet responded after three weeks. In less than ten days after receiving 0101 Internet's response, the Center observed that the domain name <viagrabuy.org> was transferred to a new registrant and a new registrar. 0101 Internet's claim that a "system glitch" caused the transfer is troubling and requires further explanation and understanding.

Failure to Maintain and Make Available to ICANN Registered Name Holders' Data

Section 3.4.2 of the RAA requires 0101 Internet to maintain a Registered Name Holder's registration data and all related correspondence with the Registered Name Holder.



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Section 3.4.3 requires 0101 Internet to make these records and data available to ICANN upon reasonable notice. 0101 Internet's failure to make the requested data and records available to ICANN concerning the domain name <viagrabuy.org> constitutes a breach of Section 3.4.3 of the RAA.

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. 0101 Internet currently owes ICANN \$14,026.71 in past due accreditation fees, in breach of Section 3.9 of the RAA. Please see the attached customer statement for details.

Chronology:

Date of Notice	Deadline for Response	Details
20 Jul 12	27 Jul 12	ICANN sent first compliance notice via email to contact@0101domain.com , tk.tsui@staff.0101host.com . No response received.
31 Jul 12	7 Aug 12	ICANN sent second compliance notice via email to contact@0101domain.com , tk.tsui@staff.0101host.com . No response received.
6 Aug 12	N/A	ICANN staff called registrar regarding compliance notices, however, staff was unable to communicate due to language differences. Other ICANN staff with language capability was requested to call.
6 Aug 12	N/A	ICANN staff called the registrar at +852 9666 9626 and spoke with the registrar's representative and was informed that the registrar would look into the matter and provide a response to ICANN. No response was received.



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Date of Notice	Deadline for Response	Details
10 Aug 12	17 Aug 12	ICANN sent third compliance notice via email to alfred@alfred.hk , contact@0101domain.com , tk.tsui@staff.0101host.com ; and faxed the compliance notice to +852 2219 0101.
16 Aug 12	17 Aug 12	ICANN staff spoke with the primary contact regarding the third compliance notice. Registrar representative claimed to have not received ICANN's third compliance notice. ICANN re-sent the third compliance notice via fax the same day with a requested response date of 17 August 2012. No response was received.