



21 September 2017

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

**RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT**

Tan Tran  
yenkos, LLC (IANA #1243)  
1340 Reynolds Ave Suite 116-484  
Irvine CA 92614  
United States

Email: [tan@pheenix.com](mailto:tan@pheenix.com)  
Fax: +1 888 872 9358

Dear Tan Tran,

Please be advised that as of 21 September 2017, yenkos, LLC ("yenkos") is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 30 September 2015 ("RAA"). This breach results from:

1. yenkos' failure to escrow gTLD registration data, as required by Section 3.6 of the RAA.

Please refer to the attachment for details regarding this breach.

In addition, yenkos has been deemed noncompliant in the following areas:

1. yenkos' failure to provide domain name data in the specified response format, as required by Section 1.4 of the Registration Data Directory Service (Whois) Specification of the RAA ("Whois Specification"), the Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (Whois) Specifications ("Clarifications") and the Additional Whois Information Policy ("AWIP");
2. yenkos' failure to publish its correspondence address on yenkos' website, as required by Section 3.17 and Section 7 of the Registrar Information Specification ("RIS") of the RAA; and
3. yenkos' failure to provide on its 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 Expired Registration Recovery Policy ("ERRP").

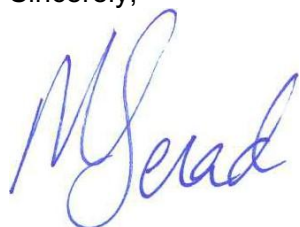
ICANN requests that yenkos cure these breaches by 12 October 2017, 21 days from the date of this letter, by taking the following actions:

1. Deposit gTLD registration data on a weekly basis to an approved escrow agent and ensure that the deposits meet the required specifications;
2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification, Clarifications and AWIP;
3. Publish on yenkos' website the correspondence address of yenkos, as specified in the RIS, or, update yenkos' RIS form to reflect the correspondence address published on yenkos' website;
4. Provide a description of the methods used to deliver pre- and post-expiration notifications on yenkos' 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 yenkos' registration agreements; and
5. Provide the corrective and preventative action(s) that yenkos will take, with implementation date(s), to ensure complete and timely responses to ICANN Contractual Compliance matters.

If yenkos fails to timely cure the breaches and provide the information requested by 12 October 2017, ICANN may commence the RAA 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 escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit an electronic copy of the data described in Sections 3.4.1.2 through 3.4.1.5 of the RAA to ICANN, or at the registrar's expense, to a reputable escrow agent mutually approved by the registrar and ICANN. Registrars shall submit the data on a schedule, under the terms, and in a format specified by ICANN. yenkos' failure to deposit gTLD registration data with an approved escrow agent under the required schedule and terms is a breach of Section 3.6 of the RAA.

### Failure to display required Whois format

Section 1.4 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format for Whois query responses. The format of responses shall contain all the elements and follow a semi-free text format outlined in Section 1.4 of the Whois Specification. Additional specifications to the format of Whois query responses are contained in the Clarifications and the AWIP. Section 4.1 of the RAA requires registry operators to comply with and implement all Consensus Policies, including the AWIP. yenkos' failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA, Clarifications and AWIP.

### Failure to publish registrar's correspondence address on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. yenkos' failure to publish its RIS correspondence address on its website is a breach of Section 3.17 of the RAA and Section 7 of the RIS.

### 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. yenkos' failure to describe these notifications on its website and in its registration agreement is a breach of Section 4.2 of the ERRP.

### **Chronology:**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
28-Jun-2017	5-Jul-2017	ICANN sent 1st compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> . No response received from Registrar.

Date of Notice	Deadline for Response	Details
10-Jul-2017	17-Jul-2017	ICANN sent 2nd compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> .
10-Jul-2017	N/A	Emails from Registrar ( <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> ) insufficient to demonstrate compliance.
14-Jul-2017	17-Jul-2017	ICANN sent follow-up compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> .
15-Jul-2017	N/A	Email from Registrar ( <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> ) insufficient to demonstrate compliance.
18-Jul-2017	25-Jul-2017	ICANN sent follow-up compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> .
19-Jul-2017	N/A	Email from Registrar ( <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> ) insufficient to demonstrate compliance.
2-Aug-2017	9-Aug-2017	ICANN sent follow-up compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> .
3-Aug-2017	N/A	Email from Registrar ( <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> ) insufficient to demonstrate compliance.
23-Aug-2017	N/A	ICANN called Primary Contact at +1 949 500 1700. ICANN left voicemail with complaint details.
24-Aug-2017	31-Aug-2017	ICANN sent 3rd compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> .
24-Aug-2017	N/A	ICANN sent 3rd compliance notice via fax to +1 888 872 9358. Fax unsuccessful.
24-Aug-2017	N/A	Email from Registrar ( <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> ) insufficient to demonstrate compliance.
26-Aug-2017	31-Aug-2017	ICANN sent follow-up compliance notice via email to <a href="mailto:tan@pheenix.com">tan@pheenix.com</a> . No response received from Registrar.
28-Aug-2017	N/A	ICANN called Primary Contact at +1 949 500 1700. ICANN left voicemail with complaint details.
20-Sep-2017	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
21-Sep-2017	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.