



15 May 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Stephane Lesimple
OVH sas (IANA #433)
2 rue Kellermann
Roubaix 59100
France

Email: stephanie.lesimple@ovh.net
Fax: +33 979 940 023

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Lesimple,

Please be advised that as of 15 May 2014, OVH sas (“OVH”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 22 March 2014 (“RAA”). This breach result from:

1. 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”).

Please refer to the attachment for details regarding these breaches.

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

1. Failure to provide a description on OVH’s website of methods used to deliver pre- and post-expiration notifications on registrar’s website, as required by Section 4.2 of the ERRP; and
2. Failure to display the correct ICANN logo on Registrar’s website, as required by the Logo License Appendix of the RAA.

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Additional Concerns

Due to registrar non-response to ICANN notices, please verify that OVH's RADAR contact information is accurate.

ICANN requests that OVH cure the breaches by 5 June 2014, 21 days from the date of this letter, by taking the following actions:

1. Provide domain name data in the specified response format required by Section 1.4 of Whois Specification of the RAA;
2. Provide a description of methods used to deliver pre- and post-expiration notifications on OVH's website; and
3. Display the correct ICANN logo on OVH's website in accordance with the Logo License Appendix of the RAA.

If OVH fails to timely cure the breaches and provide the information requested by 5 June 2014, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Owen Smigelski at owen.smigelski@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad".

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to use 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.

As detailed in the chronology, ICANN sent OVH three compliance notices concerning the noncompliant Whois format, and requested that OVH update its Whois output format or give ICANN a timeframe for implementation. ICANN did not receive any response from OVH and the Whois output is not in the specified format in breach of Section 1.4 Whois Specification of the RAA.

Failure to describe on registrar's websites (if used) 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) the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. The website of OVH does not describe these notifications in breach of Section 4.2 of the ERRP.

Failure to display correct ICANN-Accredited Registrar logo

The Logo License Appendix of the RAA requires registrars, if displaying the ICANN-Accredited Registrar Logo, to use the logo displayed in the appendix. OVH's use of a modified version of the ICANN-Accredited Registrar Logo is a violation of the Logo License Appendix of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
2-Apr-2014	10-Apr-2014	ICANN sent 1st compliance notice via email to stephanie.lesimple@ovh.net . No response received from Registrar.
14-Apr-2014	22-Apr-2014	ICANN sent 2nd compliance notice via email to stephanie.lesimple@ovh.net and icann@ovh.net . No response received from Registrar.

Date of Notice	Deadline for Response	Details
28-Apr-2014	N/A	ICANN called Primary Contact at +33 320 827 332. Spoke to representative. Line became disconnected. Attempted to call again and received busy tone twice.
28-Apr-2014	5-May-2014	ICANN sent 3rd compliance notice via email to stephane.lesimple@ovh.net , stephanie.lesimple@ovh.net , and icann@ovh.net . No response received from Registrar.
28-Apr-2014	N/A	The 3rd compliance notice was faxed to +33 979 940 023. Fax was successful.
2-May-2014	N/A	ICANN called Primary Contact at +33 320 827 332. Left detailed voicemail in French and contact information for questions.
5-May-2014	N/A	ICANN conducted check to determine other areas of noncompliance.
15-May-2014	N/A	No response received from Registrar and Whois format remains noncompliant.