



Redacted per Requester **Smith** <Contact Information Redacted >

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## Urgent letter regarding Registrar refusal to act on policy

1 message

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Redacted per Requester **Smith** <Contact Information Redacted >

Thu, Oct 27, 2016 at 5:45 PM

To: Contact Information Redacted

Dear Sir/Madam,

Please see attached letter and complaint.

Yours truly,

Redacted per Requester

Redacted per Requester **Smith**

Redacted per Requester

Contact Information Redacted

Redacted per Requester

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 **LetterToDNCHoldings-CoreValues.pdf**  
137K

Sent Wednesday Oct 19, 2016

**Unanswered by email**

Sent to Contact Information Redacted

Attn: DNC Holdings,

Greg Faia  
General Counsel  
Contact Information Redacted

I was wondering, I have a very serious complaint that violates almost all parts of your Terms of Use by one of your Registrants, it covers thousands of complaints and detriment to your name and warrants immediate removal of a domain name both under your replicated Terms of Use and ICANNs requirement of you being a Registrar's Terms of Use.

I'd like to ask you, if the evidence is clear and succinct and the grounds are made out, do you enforce this policy? I am willing to put a lot of energy on behalf of many people into this, but need to know that you transparently do enforce your policies and stand by your commitment to your governing body.

### **Right to Close**

Directnic reserves the right to close your account immediately and without prior notice if you or any of your account contacts, with or without intention, breaches any section of this agreement, any supplemental agreements, any terms or conditions of third party service providers or the rights of Directnic; if we do not receive a written response from you within 48 hours of any notice sent to you by our Abuse Department; if, in our sole judgment, your use of the service has the potential to harm Directnic, any of our affiliates, partners, service provides or customers; if your Directnic account becomes past due more than 20 days; if a compromised website is discovered on your account; and/or if we receive multiple complaints about the content of your account. You agree that Directnic will not be liable, in any way, for any closure pursuant to this section of the Agreement.

Redacted per Requester this information has come to me from many sources and it will be produced to you in the form of a clear brief aligned to your Terms of Use with evidence in support. The abuse has been constant for over 10 years, and the risk to your company from a legal perspective is high based on this company's legal reputation, so I thought I would ask if you would take such a matter seriously and align to the rules set forth strictly by ICANN policy.

It has turned into a website of worldwide concern and internet terrorism, defamation, extortion and public bullying. Many people have lost their jobs, lives, and this company 'lives in court' and is being sued every which way. Redacted per Requester Internet Safety, this is a prime concern to the world. Some countries have even banned it. Google have blocked thousands of pages, so have the other main search engines. There have been countless court cases and the person behind it is a wanted criminal. The evidence shall be forthcoming and in confidence, but I just need to be assured you will act on this information once verified and validated as it is in confidence and of importance to both my personal safety and that of many other people.

Kind regards,

Redacted per Requester

Redacted per Requester **Smith** - Contact Information Redacted

Contact Information Redacted  
Redacted per Requester  
Contact Information Redacted  
Redacted per Requester

Sent by email Wednesday Oct 23, 2016

*Resent via Registrar Standards Complaint Form filled in as above.*

Dear ICANN,

I wish to report a serious breach of ICANN policy by a Registrar under your control.

As DirectNic/DNC Holdings is a signatory to both your [Registrar Accreditation Agreement](#) which includes the below schedule 3, in the **REGISTRAR's OBLIGATIONS**, as well as being a signatory to your [Compliance Certificate](#), almost 5 days ago I sent a very simple request to the Registrar who is tasked with providing "Registration Services" under your agreement, and obligated by your agreement to investigate reports of abuse.

I have an extremely serious report of abuse of a Registrant, and found it worthwhile to scope the Registrar's compliance with your policy first before bringing forth the crucial information, as it is highly confidential and of a very sensitive nature. It also requires compliance with State, Federal and International laws as well as most definitely compliance to the very least with your overriding policy.

I am extremely concerned, that to date, we cannot even get a response to the below request of which I copied you into upon sending. This does not instil confidence as to the compliance of the Registrar and permission is sought to bring forth the complaint directly to you instead of the Registrar to act in the Registrar's shoes to ensure compliance with the policy due to the serious nature of the disclosure I (and others) are about to make about one of their Registrants, breaching the Registrant policy to a point of criminality and negligence that warrants immediate removal from the internet and even potentially places both ICANN and the Registrar at legal risk of liability.

I raise your attention to the below section of which DirectNic/DNC Holdings have sworn and signed to hold their registration with you, and cannot even answer an email. I have concerns that they are equipped to deal with the high-level security of the information that will be verified and confidential that is to come.

### **3.18 Registrar's Abuse Contact and Duty to Investigate Reports of Abuse.**

***3.18.2 Registrar shall establish and maintain a dedicated abuse point of contact, including a dedicated email address and telephone number that is monitored 24 hours a day, seven days a week, to receive reports of Illegal Activity by law enforcement, consumer protection, quasi-governmental or other similar authorities designated from time to time by the national or territorial government of the jurisdiction in which the Registrar is established or maintains a physical office. Well-founded reports of Illegal Activity submitted to these contacts must be reviewed within 24 hours by an individual who is empowered by Registrar to take necessary and appropriate actions in response to the report. In responding to any such reports, Registrar will not be required to take any action in contravention of applicable law.***

I ask for the Registrar to be questioned as to why they have ignored my request, and for ICANN officially to allow my disclosure directly as it involves thousands of people, crimes by the Registrant, multiple court cases and defamatory content of which they refuse to remove. It also contains numerous cases of identity theft and DMCA requested removed material and the company has engaged in at least 30 law suits and places a risk to the internet at large. It involves content that relates to allegations of child pornography, as well as unproven allegations that have led to people being forced to pay money in extortion. There are court judgments in many states and countries and petitions worldwide. This is a major issue.

Could you please let me know if you are able to receive service of this very serious complaint requesting a take-down on breach of Registrant policy with evidence in support, as the Registrant does not seem to have systems in place as they are contractually required to do in order to perform their duty as a Registrar and this is not a small complaint. It affects many lives, and the heart of the internet - and cyber terrorism.

Please see below the unanswered email. I note that although no official abuse complaint was made, given that somebody is supposed to be manning that email address 24 hours a day, seven days a week, a simple 'Yes', would not have been too difficult to instil confidence in their competency to maintain their obligations under the [Registrar Accreditation Agreement](#).

Kind regards,

Redacted per Requester

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