



30 July 2009

TRANSMITTED VIA FACSIMILE, COURIER SERVICE AND ELECTRONIC MAIL

Ms. Cynthia Pearcy
Simply Named Inc. dba SimplyNamed.com (IANA ID 807)
1865 State Hwy 77
Marion, Arizona 72364

RE: NOTICE OF NON-RENEWAL OF REGISTRAR ACCREDITATION AGREEMENT

Dear Ms. Pearcy:

Be advised that as of 30 July 2009, Simply Named Inc. dba SimplyNamed.com ("Simply Named") remains in breach of its Registrar Accreditation Agreement – May 2001 ("RAA") with the Internet Corporation of Assigned Names and Numbers ("ICANN"). This breach results from Simply Named's failure to: 1) escrow gTLD registration data pursuant to and compliant with Section 3.6 of the RAA and 2) pay accreditation fees to ICANN pursuant to and compliant with Section 3.9 of the RAA.

Section 5.4 of the RAA provides that upon the expiration of the Simply Named RAA, Simply Named may apply for and shall be entitled to renewed accreditation, *if* Simply Named is in compliance with all of its obligations under the RAA. Based on Simply Named's failure to comply with Sections 3.6 and 3.9 of the RAA, ICANN does not intend to renew the Simply Named RAA upon its expiration on 20 August 2009.

1. Failure to escrow gTLD registration data pursuant to Section 3.6 of the RAA

Section 3.6 of the RAA requires Simply Named, "on a schedule, under the terms, and in the format specified by ICANN" to "submit an electronic copy of the database described in Subsection 3.4.1 [of the RAA] to ICANN or, at Registrar's election and at its expense, to a reputable escrow agent mutually approved by Registrar and ICANN."

ICANN notified Simply Named by U.S. postal mail on 14 December 2007 of Simply Named's obligation to begin escrowing certain enumerated gTLD registration data by no later than 1 March 2008, and thereafter on a weekly basis, in accordance with the Registrar Data Escrow Specifications document posted at, <http://www.icann.org/rde/rde-specs-09nov07.pdf>. Additionally, ICANN attempted to notify Simply Named on 1 May 2008 via phone and found its service disconnected, and via courier on 26 September 2008. To date, no deposits have been made in furtherance of Simply Named's escrow obligation.



Simply Named's failure to escrow registration data constitutes a breach of Section 3.6 of the RAA.

2. Failure to pay accreditation fees pursuant to Section 3.9 of the RAA

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. Simply Named currently owes ICANN \$31,900.35 in past due accreditation fees. Be advised that subsequent amounts billed since 20 April 2009 were added to the current balance due. Notices regarding Simply Named's past due accreditation fees, including detailed customer statements, were transmitted to you on 22 January 2009 and 20 April 2009.

On 20 April 2009, ICANN sent you, via FedEx and Fax, a Notice of Breach of Registrar Accreditation Agreement for failure to pay accreditation fees along with a detailed customer statement reflecting \$30,815.94 in past due accreditation fees. Simply Named failed to cure this breach in the time period allowed by the RAA.

Simply Named's failure to make timely payment on invoice numbers 5410, 6021, 7847, 8847, 9259, 10104, 11017, 11943, 13337, 13987, 14627, 15745, 17041, 18405, 19093, 19783, 19784, 21007 and 22257, all of which are over 30 days past due, constitutes numerous breaches of Section 3.9 of the RAA. A copy of Simply Named's most recent customer statement is enclosed.

3. Conclusion

ICANN previously notified you on 30 April 2009 via email and on 26 May 2009 via courier that if the breaches described above were not cured by 20 July 2009, your registrar would be ineligible to renew its RAA. Accordingly, because these breaches have not been cured, on 20 August 2009, ICANN will allow the agreement to expire without renewal.

Due to the impending non-renewal of Simply Named's RAA, it is critical that ICANN take action to protect the interests of registrants that registered domain names with your registrar. ICANN's records reveal that Simply Named is currently managing approximately 298 gTLD names. To facilitate the transition of the domain names currently managed by Simply Named, ICANN will follow its De-Accredited Registrar Transition Procedure ("Procedure") posted at, <http://www.icann.org/en/processes/registrars/de-accredited-registrar-transition-procedure-01oct08.pdf>.

We encourage you to read the Procedure in its entirety. Consistent with the Procedure, we are requesting that Simply Named propose a bulk transfer recipient on or before 10 August 2009. Please contact ICANN's Registrar Liaison Manager Mike Zupke at mike.zupke@icann.org, to designate a proposed bulk transfer recipient. Kindly note,



however, that your designation of a bulk transfer recipient does not prejudice ICANN's right to the Registrar Data that should have been deposited in escrow and other rights under the RAA, as well as ICANN's right to transfer names to a registrar of our choosing selected pursuant to the Procedure. It is ICANN's goal to protect registrants from unnecessary harm and we look forward to the full cooperation of Simply Named during the transition process.

Please note that the non-renewal of Simply Named's RAA does not relieve Simply Named of the obligation to pay any outstanding accreditation fees, which should be paid immediately, and accreditation fees for the most recently-ended and current quarters that have not been invoiced. ICANN reserves the right to pursue all means available to collect these fees. ICANN specifically reserves the right to pursue any and all other breaches in addition to the breaches enumerated above, and nothing herein shall be deemed a waiver of that right.

You may contact me via e-mail at stacy.burnette@icann.org should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Stacy Burnette".

Stacy Burnette
Director, Contractual Compliance
stacy.burnette@icann.org



Internet Corporation for Assigned
Names and Numbers
4676 Admiralty Way Suite 330
Marina del Rey CA 90292
USA

Voice: +1/310/823-9358
Fax: +1/310/823-8649

Customer Statement

Simplynamed.com
Cynthia Pearcy
1865 State Hwy 77
Marion AR 72364

Statement Date: 07/29/2009

Customer Number: 758

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Apply To	Doc #	Document Type	Date	Due Date	Description	Charge	Credit	Balance
5410	5410	Standard Invoice	08/24/05	09/24/05	Contract year ending 21 August, 2006	4,000.00		\$2,000.00
	5045	Receipt	04/17/06		Ck #1029		\$2,000.00	
6021	6021	Standard Invoice	11/30/05	02/06/06	Quarter Ending 09/30/2005	2,242.28		\$2,242.28
7847	7847	Standard Invoice	05/31/06	06/30/06	Quarter Ending 03/31/2006	1,710.72		\$1,710.72
8847	8847	Standard Invoice	07/31/06	09/24/06	Quarter Ending 06/30/2006	1,492.61		\$1,492.61
9259	9259	Standard Invoice	08/28/06	09/27/06	Contract Year Ending 8/21/07	4,000.00		\$4,000.00
10104	10104	Standard Invoice	02/28/07	03/30/07	Quarter Ending 09/30/2006	1,271.37		\$1,271.37
11017	11017	Standard Invoice	03/30/07	04/30/07	Quarter Ending 12/31/2006	1,168.71		\$1,168.71
11943	11943	Standard Invoice	04/30/07	05/30/07	Quarter Ending 03/31/2007	1,172.70		\$1,172.70
13337	13337	Standard Invoice	07/25/07	08/25/07	Quarter Ending 06/30/2007	1,144.71		\$1,144.71
13987	13987	Standard Invoice	08/21/07	09/21/07	Contract Year Ending 8/21/08	4,000.00		\$4,000.00
14627	14627	Standard Invoice	10/31/07	11/30/07	Quarter Ending 09/30/2007	1,131.10		\$1,131.10
15745	15745	Standard Invoice	01/31/08	03/04/08	Quarter Ending 12/31/2007	1,110.58		\$1,110.58
17041	17041	Standard Invoice	04/30/08	05/31/08	Quarter Ending 03/31/2008	1,104.99		\$1,104.99
18405	18405	Standard Invoice	07/31/08	08/31/08	Quarter Ending 06/30/2008	1,086.50		\$1,086.50



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Apply To	Doc #	Document Type	Date	Due Date	Description	Charge	Credit	Balance
19093	19093	Standard Invoice	08/15/08	09/15/08	Contract Year Ending August 2009	4,000.00		\$4,000.00
19783	19783	Standard Invoice	10/31/08	11/30/08	Quarter Ending 09/30/2008	1,092.63		\$1,092.63
19784	19784	Standard Invoice	10/31/08	11/30/08	Quarter Ending 09/30/2008	0.88		\$0.88
21007	21007	Standard Invoice	01/31/09	03/05/09	Quarter Ending 12/31/2008	1,086.16		\$1,086.16
22257	22257	Standard Invoice	04/30/09	05/31/09	Quarter Ending 03/31/2009	1,084.41		\$1,084.41

Due after 7/29/2009	Up to 30 Days Past Due	30 to 60 Days Past Due	60 to 90 Days Past Due	Over 90 Days Past Due	Total Due
0.00	0.00	1,084.41	0.00	30,815.94	\$31,900.35