

Subject: RE: ICANN the company and/or a department within ICANN [] [ref:_00D1aY7OU._5001P1DZkxa:ref]
Date: Thursday, June 10, 2021 at 11:38:58 AM Pacific Daylight Time
From: Greg Thomas
To: complaints@complaints.icann.org
Attachments: ResponselCANNComplaint.pdf

Krista:

Thank you for your acknowledgement -- it is refreshing to receive some confirmation from ICANN since I haven't received anything from my earlier email raising these issues to the board, and which has yet to be posted on ICANN's public correspondence page.

Attached please find further correspondence addressing this matter.

Regards,

Greg Thomas

----- Original Message -----

Subject: RE: ICANN the company and/or a department within ICANN [] [ref:_00D1aY7OU._5001P1DZkxa:ref]
Date: Tue, 8 Jun 2021 02:00:26 +0000 (GMT)
From: Krista Papac <complaints@complaints.icann.org>
Reply-To: Krista Papac <complaints@complaints.icann.org>
To: greg@vikinggroup.email <greg@vikinggroup.email>



Dear Greg,

Thank you for your submission. I apologize I have not sent this acknowledgement sooner, but I am in receipt of your submission and confirm such.

I am currently reviewing your complaint and then will begin researching and analyzing what you've submitted. Once I complete my research and analysis, I will work with the ICANN organization team(s) responsible for this topic to draft a response to you. I will provide you periodic a status updates.

Additionally, I want to make sure you are aware of the Terms and Conditions for Submission to the Complaints Office. They are noted at the end of this message, but I've also copy/pasted them here:

Submitted complaints will be handled in accordance with the ICANN bylaws and the ICANN Privacy Policy. By submitting this document to complaints@icann.org you acknowledge that the complaints process shall operate to the maximum extent feasible in an open and transparent manner and consistent with procedures designed to ensure fairness. Except as noted above, information you submit is subject to being published on the ICANN website.

Your complaint and accompanying response will be published in the Complaints Office section of our website; see: <https://www.icann.org/complaints-office>. Note, your contact information will not be published but your name and organization name, if applicable, will be.

Please let me know if you have questions.

Kind regards,

Krista Papac
Complaints Officer
ICANN
+1 310 301 5800
complaints@icann.org
12025 Waterfront Avenue, Suite 300
Los Angeles, CA 90094
www.icann.org

Terms and Conditions for Submission to the Complaints Office

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From: Greg Thomas
Date: 5/26/2021
To: ICANN Complaints Office
Subject: ICANN the company and/or a department within ICANN

ICANN is violating its Bylaws, specifically Section 2.2 Restrictions, which expressly prohibits ICANN from acting as a registrar. This prohibition is longstanding since ICANN's inception and is also included in the Memorandum of Understanding between ICANN and the U.S. Department of Commerce and which remains extant by virtue of being merged into the InterNIC licensing agreement between the same parties. However, despite this unambiguous and fundamental prohibition ICANN is acting improperly as a registrar for the purpose of warehousing and cyber squatting on certain domain names in the .com and .net registries. Importantly, neither ICANN's Bylaws nor the merged terms of the InterNIC licensing agreement allow for any exceptions to this prohibition. Given that ICANN has approved a proposed auction for at least one of these cybersquatted names, o.com, and with the proceeds to be allocated to a redacted list of non-profit organizations, it is impossible to conclude other than that ICANN is improperly seeking to participate in the domain name secondary market for speculative purposes which is anticompetitive and prohibited.

This speculative warehousing of domain name registrations by ICANN's prohibited registrar is unnecessary since the relevant registry agreements prohibit initial registration of these labels without ICANN's express written authorization. It is clear that ICANN is attempting to engage in profiteering with respect to these domain names. Of particular importance is the fact that ICANN has no right to these domain name registrations for any reason, since they were registered in 1993 by a U.S. government contractor performing the IANA functions.

Any violation by ICANN of its Bylaws is a serious transgression. Accordingly, this violation has been referred to the California Attorney General's office and the U.S. Internal Revenue Service. A copy of the California complaint has been provided to ICANN's board by correspondence dated April 30, 2021 although this correspondence has not yet been posted on ICANN's public correspondence page and for ease of reference is attached here.

The degradation of ICANN's corporate governance is unacceptable and has grave implications which require extraordinary steps for remediation. This misconduct must end immediately and unconditionally.

ref:_00D1aY7OU._5001P1DZkxa:ref

