



Ref: ORG-CIL1/202103/MS-1

Wednesday, 10 March 2021

Cloud Innovations Ltd  
C/o Abacus (Seychelles) Limited  
Mont Fleuri, Mahe  
Seychelles

Dear Member,

**Re: IPv4 Number Resources Allocated to Cloud Innovation Ltd - ORG-CIL1-AFRINIC**

Our letter dated 23 June 2020 as well as your letter dated 13th July 2020 refer. We have taken note of the contents of your letter without making any admission to the contents thereof, and instead wish to state the following:

1. In as much as ASNs' country in RIR WHOIS does not reflect the country of origin, AFRINIC's extensive assessment of your IP allocation establishes, beyond doubt, that the IP Number Resources allocated to Cloud Innovation Ltd are originating services in regions other than the registered country on our WHOIS records;
2. We note with concern that the IP Number Resources allocated to Cloud Innovation Ltd are further not originating services from within the AFRINIC service region and that contrary to the justification provided at the time of resource request, thus amounting to a breach of section 6 of AFRINIC's bylaws.
3. We find it apt to add that being a member of AFRINIC, Cloud Innovation Ltd is also bound to comply with the provisions of its bylaws. Besides, "Membership" is clearly and unequivocally defined in section 6 of the bylaws. Consequently, IP Number Resources allocated by AFRINIC must originate services from within the defined region, except as regard those issued under the "SOFTLANDING Policy". In the latter case, it may be permissible to use part of one's resources only for connectivity back to the service region. Unfortunately, the situation of Cloud Innovation Ltd does not, to all intent and purpose, conform to the provisions of these two guiding community approved documents.
4. Whilst we have taken note of your effort of maintaining the necessary records as you have stated in your aforesaid letter, yet we also observe that your records appear to be inconsistent, and which constitutes a breach of clause 5.3.2 of the CPM wherein it stated that "*the registration data (name, IP block/range, contacts, status, etc..) must be correct at all times*".

5. We further note that the current usage of part of Cloud Innovation Ltd's allocated space are no longer consistent with the "needs" expressed in accordance with the RSA. We hereby refer you to clause 6(d)(iii) of the RSA whereby Cloud Innovation Ltd expressly acknowledged and agreed that the "right of use" of IP Number Resources is bestowed within the ambit of the "need" which is justified in its application and for no other purpose during the currency of the present agreement.
6. Notwithstanding the above and despite the explicit provision of clause 2(d) of the RSA, we regretfully record Cloud Innovation Ltd's failure to notify AFRINIC of the aforementioned changes promptly, accurately and fully by an authoritative and valid contact.
7. Consequently, we consider that the aforesaid acts and doings of Cloud Innovation Ltd amount to a breach of clauses 2(d), 4(c)(i), and 6 (c), (d) (iii) of the Agreement as well as section 5.2.1.4 of the AFRINIC's Consolidated Policy Manual ("Policy Manual").

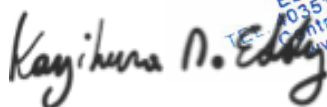
To address the aforementioned issues, Cloud Innovation Ltd is hereby most formally required to promptly and accurately submit its "change request" in compliance with Clauses 4(a) and 2(d) of the RSA, as well as ensure full compliance with AFRINIC. The "change request" must include:

- I. Detailed utilisation information for all the aforementioned IPv4 prefixes including the services for which the resources are being used and country of service origin.
- II. Planned utilisation of your remaining IPv4 space for the next 8 months
- III.

Your "change request", if any, should reach AFRINIC by 12-04-2021, by the close of business. AFRINIC shall consider the merits of your request, if any, and will in its sole discretion determine whether to terminate the RSA as well as to proceed with the reclaiming of the IPv4 Number Resources allocated to Cloud Innovation Ltd.

You are further informed that AFRINIC shall not be held liable for any loss or damage of whatever nature arising out of the present notice or any action that AFRINIC may take in accordance thereof.

Yours sincerely,



Eddy Kayihura  
Chief Executive Officer

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