

In the case of concerns regarding copyright or trademark infringement which is related to any of the below domains:

- nicenic.xyz
- Nicenic.support
- Nicenic.top
- nicenic.blog

Please read below

The Respondent operates the disputed domains solely for independent journalistic reporting, cybersecurity research, and public-interest critical commentary regarding Nicenic's business practices. The websites are strictly non-commercial, containing no advertisements or monetization mechanisms, and are not intended to mislead, impersonate, or defraud the Complainant. Both domains include a clear disclaimer:

"This website is not associated with NICENIC, this website has no association to NICENIC. This is an independent journalist study related to NICENIC."

This ensures that no confusion exists regarding affiliation or endorsement, and the domains' purpose is clearly educational and informational. The websites provide detailed reporting on alleged weak abuse procedures, phishing activity, and potential violations of ICANN's Registrar Accreditation Agreement, aiming to inform the public and enhance internet security.

Under UDRP Paragraph 4(c)(iii), a respondent may demonstrate legitimate interest if a domain is used for bona fide non-commercial or fair use, including commentary, criticism, and research. The Respondent's use of these domains clearly falls within this scope. The content is public-interest reporting about Nicenic's business practices, including documented cases of forwarding abuse reports, potential GDPR/CCPA violations, and tolerance of phishing and fraudulent activity. There is no commercial intent, and the websites contribute meaningfully to public knowledge and awareness.

Several WIPO precedents support this position. In D2018-1256, the panel stated:

"Respondent's registration and use of the disputed domain name constitutes an adequate claim to fair use. The disputed domain name has been used primarily in connection with various politically motivated commentary and criticism websites. To the extent that Respondent solicits contributions or encourages consumers, he is exercising his free speech right; he is not competing as an alternative [organization]."

In D2005-0827 – Bayer AG v. Daniel Cohn, the panel emphasized:

“The Panel finds that the website at issue constitutes non-commercial criticism. The use of the domain name does not demonstrate bad faith registration or use. The Respondent’s domain was used for protected free speech, not to mislead consumers or gain commercial advantage.”

Similarly, in D2010-0504 – Covance, Inc. v. The Covance Campaign, the panel concluded:

“The Respondent’s use of the domain name is for the purposes of public comment and advocacy. There is no evidence that the domain was registered in bad faith, or that the Respondent intended to disrupt the Complainant’s business or profit from the domain.”

In D2024-0098 – Family Policy Foundation v. John Skinner, the panel reiterated:

“The UDRP should not be used to suppress websites that engage in legitimate criticism or reporting. Such sites constitute bona fide non-commercial use protected under Paragraph 4(c)(iii).”

The Respondent did not register the domains in bad faith. There is no intent to sell the domains, disrupt Nicenic’s operations, mislead users, or profit from the use of Nicenic’s trademarks. The domains are clearly labeled to indicate research and reporting purposes, disclaimers are prominently displayed, and the content focuses solely on public-interest investigation, cybersecurity reporting, and transparency. WIPO panels have consistently found that domains used in this manner, with no commercial gain and clear disclaimers, do not constitute bad faith.

The domains serve the public interest by providing transparency and information about phishing threats and registrar negligence. Denying the domains would suppress independent reporting and research, contrary to WIPO principles and prior decisions. The domains are also clearly distinguished from Nicenic’s official brand, with no replication of logos or design elements, and disclaimers prevent any misperception of affiliation.

For all the above reasons, the Respondent respectfully requests that the Panel dismiss the Complaint in its entirety, recognize the Respondent’s legitimate interest in maintaining the domains for non-commercial, public-interest research and critical commentary, and confirm that the domains are used in good faith with no intent to profit, mislead, or disrupt the Complainant. Granting this relief will uphold principles of freedom of speech, investigative journalism, and public-interest reporting, consistent with WIPO jurisprudence and UDRP policies.