

October 6, 2023

Re: Case No. DAI2023-0033

<nomen.ai>

Notification of Complaint and Commencement of Administrative Proceeding

1. **Notification.** You are hereby notified that an administrative proceeding has been commenced against you pursuant to the Uniform Domain Name Dispute Resolution Policy, approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on October 24, 1999 (the “Policy”) (<https://www.icann.org/resources/pages/policy-2012-02-25-en>), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”) as approved by ICANN on September 28, 2013, and in effect as of July 31, 2015 (<https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en>), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”) in effect as of July 31, 2015 (<https://www.wipo.int/amc/en/domains/supplemental/eudrp/newrules.html>).

The Policy is incorporated by reference into your Registration Agreement with the Registrar of your domain name, pursuant to which you are required to submit to and participate in a mandatory administrative proceeding in the event that a third party (the “Complainant”) submits a Complaint to an ICANN-approved dispute resolution service provider (<https://www.icann.org/resources/pages/providers-6d-2012-02-25-en>) concerning your domain name.

(Please note that the administrative proceeding has been commenced against the registrant of the domain name that is the subject of the Complaint and not the technical contact, zone contact, administrative contact or billing contact, if different from the domain name registrant. The technical contact, administrative contact or billing contact, if different from the domain name registrant, are requested to forward this notification and any attachments to the registrant of the domain name in question.)

Pursuant to Paragraph 4 of the Rules and Paragraph 4(d) of the Supplemental Rules, you have been forwarded an electronic copy of the Complaint (including any annexes).

If you would like a copy of the Complaint (including any annexes) forwarded to an alternate email address(es), please advise the WIPO Arbitration and Mediation Center (the “Center”) of this as soon as possible. Such request may be sent by email to the Center at domain.disputes@wipo.int, referring to the above case number.

2. **Date Complaint Received.** The Complaint submitted by Nomen International was received by email on September 28, 2023 by the Center, and the amended Complaint was received by email on October 5, 2023 by the Center. A copy of the Complaint and the amended Complaint accompanies this notification.
3. **Formal Requirements Compliance Review.** In accordance with Paragraph 4(c) of the Rules and Paragraph 5 of the Supplemental Rules the Center has verified that the Complaint satisfies the formal requirements of the Policy, Rules and Supplemental Rules. Payment in the required amount to the Center has been made by the Complainant.
4. **Commencement of Administrative Proceeding.** In accordance with Rules, Paragraph 4(f), the formal date of the commencement of the administrative proceeding is **October 6, 2023**.
5. **Deadlines.** You have 20 calendar days from the date of commencement of this administrative proceeding (see paragraph 4 above) within which to submit to us any Response (copying the Complainant) according to the requirements that are described in the Rules, Paragraph 5. The email address to which you should send your Response (copying the Complainant) is domain.disputes@wipo.int. Any request to the Center for an extension pursuant to Paragraphs 5(b) and 5(e) of the Rules, may be submitted to the same email address. The Respondent may expressly request an additional four (4) calendar days in which to respond to the Complaint, and the Center shall automatically grant the extension in accordance with Paragraph 5(b) of the Rules. This extension does not preclude any additional extensions that may be given further to Paragraph 5(e) of the Rules. In the absence of any extension, the last day for sending any Response (copied to the Complainant) to us is **October 26, 2023**. This is also the last date by which you should make any required payments to us if you choose to designate a three-member Administrative Panel (see paragraphs 7 and 9 below). In filing your Response, you may refer to the Model Response and filing guidelines made available on the Center's website (<https://www.wipo.int/amc/en/domains/respondent/index.html>).
6. **Consent to remedy.** You may consent to the remedy requested by the Complainant and agree to transfer the disputed domain name.
7. **Default.** If your Response is timely submitted by the specified due date, the Center will duly acknowledge receipt. In the absence of any submitted Response (or evidence of its transmission), the Center will typically forward a notice of respondent default. In either case, the Center will proceed to appoint an Administrative Panel to review the facts and to decide the case. The Administrative Panel will not be required to consider a late-filed Response, but will have the discretion to decide whether to do so and, as provided for by Rules, Paragraph 14, may draw such inferences from your default as it considers appropriate. There are other consequences of a default, including no obligation on our part to consider any designations you have made concerning the appointment of the Administrative Panel or to observe any guidelines you have provided concerning case-related communications.
8. **Administrative Panel.** The dispute between you and the Complainant will be decided by an Administrative Panel consisting of either one or three impartial and independent decision-makers. The Complainant in this administrative proceeding has elected for an Administrative Panel consisting of a single panelist.

If you would also like the case to be decided by a single panelist, the appointment of that panelist will be made by us from our published list of panelists (<https://www.wipo.int/amc/en/domains/panel.html>). The fees for the administrative proceeding will be paid in their entirety by the Complainant.

Despite the Complainant's designation of a single panelist, you can choose to have the case decided by an Administrative Panel consisting of three persons. If you choose this option, you

will be required to pay half of the applicable fees for the administrative proceeding (see paragraph 9 below). The payment must be made at the time you submit your Response. Failure to submit the required payment at that time may, along with other considerations, be taken as grounds for proceeding with a single panelist. If you choose a three person Administrative Panel and make the required payment when you submit your timely Response, you should indicate the names and contact details of three persons in order of preference in your Response. These three persons can be selected from our published list or that of any other ICANN-accredited dispute resolution service provider (<https://www.icann.org/resources/pages/providers-6d-2012-02-25-en>). We will try to appoint one of the three persons you have nominated to the Administrative Panel. If we are unsuccessful, we shall make an appropriate appointment from our published list. If you choose a three-member Panel, but do not provide us with the names and contact details of any candidates, we shall make the appointment from our published list.

Please note that if you choose a three-member Panel, the Complainant will be requested also to provide the names of three candidates, who can be taken from our published list or that of any other ICANN-accredited dispute resolution service provider. We will try to appoint one of these three persons to the Administrative Panel. If we are unsuccessful, we shall make an appropriate appointment from our published list. If the Complainant does not provide us with the names of its candidates, we shall make the appointment from our published list.

If the case is to be decided by a three-member Administrative Panel, you and the Complainant will be contacted concerning the procedures for the appointment of the Presiding Panelist (*i.e.*, the third panelist).

9. **Communications.** Your Response should be communicated to us according to the requirements of Rules, Paragraph 5(c) (*e.g.*, in electronic form (including any annexes) via the Internet pursuant to Supplemental Rules, Paragraph 12(b)). All case-related filings or submissions to the Center in addition to the submission of your Response should be made according to Supplemental Rules, Paragraph 3(a). The email address to use for both purposes is domain.disputes@wipo.int.

In your Response you may wish to indicate where and how you would like us to send case-related communications to you, for example if you should have a preferred method for communication from any used in this Complaint Notification.

All communications that are required to be made to the Complainant under the Rules and Supplemental Rules, including your Response, should be made according to the contact details and methods specified in the Complaint. Any corrections or updates to the Respondent's contact information during the remaining Pendency of the UDRP proceeding shall be communicated to the Center in accordance with Rules, Paragraphs 5(c)(ii) and 5(c)(iii).

Questions about your case, or other general queries may be emailed to domain.disputes@wipo.int.

10. **Fees.** In accordance with Rules, Paragraph 5(d), payment to us in the following amount must be made at the time of the submission of your Response, if you designate a three-member Administrative Panel:

USD 2,000

Payment methods and other relevant details can be found in Annex D of the Supplemental Rules. Please identify in your Response the method by which payment is made. If you do not submit the required payment to us, we shall proceed to appoint a single-member Administrative Panel.

11. **The Administrative Proceeding.** If this case is to be decided by a single-member Administrative Panel, we shall appoint the Administrative Panel within five days following receipt of your Response, or the lapse of the time period for the submission thereof. If the case is to be decided by a three-member Administrative Panel and you have submitted a Response, after appointing two of the panelists (see Paragraph 7 above) we shall send to you and to the Complainant a list of five candidates for the Presiding Panelist. You will each be asked to indicate your order of preference from among the five candidates. Unless we are notified of an agreement between you and the Complainant as to the identity of the Presiding Panelist, we shall make the appointment taking into consideration the preferences indicated by you and the Complainant.

The Administrative Panel will typically have 14 days from the date of its appointment to issue a decision in the case. Under normal circumstances, we will forward the decision to you, the Complainant, the concerned Registrar and ICANN within three (3) business days of receiving it from the Administrative Panel. Should the decision require that the domain name in question be either transferred or cancelled, the Registrar will notify all parties concerned of the date that the decision will be implemented if the Registrar does not receive notification and the required documentation from you in accordance with Paragraph 4(k) of the Policy. We will then post the decision on a publicly accessible web site, unless we have been directed not to by the Administrative Panel.

12. **Case Manager.** The Center, which is a neutral dispute resolution provider, has appointed a Case Manager who is in charge of administering your case. The Case Manager's details appear below. Please note that, while the Case Manager is at your disposal to answer questions relating to such matters as filing requirements and applicable procedure, the Case Manager is not the decision-maker on the merits of this case, and cannot provide you with legal advice or make any representations to the Administrative Panel or otherwise on your behalf.

Case Manager: Jian S.

Address: WIPO Arbitration and Mediation Center
34 chemin des Colombettes
1211 Geneva 20
Switzerland

Telephone: +41 22 338 8247

Fax No.: +41 22 740 3700

Email Address: domain.disputes@wipo.int

13. **Additional Information.** Additional information about the UDRP administrative procedure is available at <https://www.icann.org/resources/pages/help/dndr/udrp-en> and about the Center's Domain Name Dispute Resolution Service at <https://www.wipo.int/amc/en/domains/panel.html>.

Yours sincerely,

Jian S.
Case Manager

COMMUNICATIONS

The Notification of Complaint and Commencement of Administrative Proceedings is being communicated to the Respondent (including the domain name registrant, administrative contact, technical contact, and billing contact, as required by Paragraph 2(a) of the Rules) in accordance with the following contact details:

Petr Knoll
Simackova 908 17
Prague
Prague 17000
Czech Republic
420732690378 (Office telephone)
peetey78@gmail.com, 6bd66f04fb7d48259300bd2661d0f4c3.protect@withheldforprivacy.com

postmaster@nomen.ai

By the following method:

☒ [X] Email (Complaint with attachments)

Please note that Written Notice of this dispute has also been sent to the above contact details by the following method:

☒ [X] Post/Courier (A facsimile number is not available)

☐ [] Facsimile

The Notification of Complaint and Commencement of Administrative Proceedings is being copied to the Complainant by email in accordance with the following contact details:

Nomen International
France

Represented by:

Anne-Karine Bogillot
Legi-Mark
98 bis boulevard Haussmann
75008 Paris
France
0144510543 (Office telephone)
ak.bogillot@legimark.com, info@legimark.com

A copy has also been communicated by email to the Registry and the Registrar listed below:

vincecate@gmail.com
NameCheap, Inc.