

Θέμα **Complaint Case Number 00988882 re: Abuse - virtualcomposer2000.com (1 Domain) - Closed [ref:_00D616tJk._5004MgCyhh:ref]**

AGRICULTURAL UNIVERSITY OF ATHENS

Αποστολέας ICANN Contractual Compliance <compliance-cases@icann.org>
Παραλήπτης jgal@aua.gr <jgal@aua.gr>
Ημερομηνία 2021-03-17 15:54

Dear Ioannis Galidakis,

Thank you for your understanding while ICANN reviewed this matter. ICANN has reviewed and closed your complaint because:

- Please note that ICANN's authority extends to the enforcement of the requirements outlined in the agreements that it has with its contracted parties, including the Registrar Accreditation Agreement ("RAA"). To that end, Section 3.18 of the RAA requires registrars "to take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse". Any specific action that a registrar takes on domain names it sponsors following the receipt of an abuse report depends on the registrar's own domain name use and abuse policies, and is not determined by ICANN. The RAA does not require registrars to suspend or delete domain names in response to abuse reports, and ICANN has no contractual authority to instruct registrars to take specific action(s) or otherwise outside the mentioned agreements.

- As previously noted, your complaint implicates a private dispute between you and a third party. ICANN's authority is purely contractual and limited to its contracted parties. These are some alternatives that you can consider for obtaining a domain name that is registered to someone else: (1) Work out an agreement with the current registrant; (2) Wait and see if the current registrant lets the domain name expire; (3) File a lawsuit in the appropriate court against the current registrant; and/or (4) Begin an administrative proceeding under the Uniform Domain-Name Dispute-Resolution Policy (UDRP) or file a complaint under the Uniform Rapid Suspension System (URS). More information about option 4 is available at https://www.icann.org/resources/pages/help/dndr/udrp-en or https://www.icann.org/resources/pages/urs-2014-01-09-en .

Additionally, please note that ICANN does not provide privacy/proxy services for the domain names. ICANN's authority to ensure the public Whois information is accurate is based on the Registrar Accreditation Agreement (RAA) and the Whois Accuracy Program Specification (WAPS). Please note that domain name owners are not obligated to respond to communications or requests for information.

To learn more about Whois Inaccuracy, please review the "Learn More" pages available at: https://www.icann.org/resources/pages/whois-2013-03-22-en . Please note that domain name owners are not obligated to respond to communications or requests for information.

Please note that responses to closed cases are not monitored. Therefore, if you require future assistance or have any questions regarding this case that is being closed, please email compliance@icann.org. If you have a new complaint, please submit it at http://www.icann.org/resources/compliance/complaints.

ICANN is requesting your feedback on this closed complaint. To begin this optional survey, please click [here](#).

Sincerely,

ICANN Contractual Compliance

#####

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

From: Ioannis Galidakis [jgal@aua.gr]
Sent: 1/14/2021 12:33 AM
To: compliance-cases@icann.org
Subject: Re: Additional information for complaint re: Abuse - virtualcomposer2000.com (1 Domain) [ref:_00D616tJk._5004MgCyhh:ref]

Hello,

I've already attached the required additional email information when I first applied with ICANN for this case. It's in the case support evidence application. In case you can't see it, I am attaching the communication I had with the registrar [NameSilo.com](#). The emails for the claim abuse report were politely sent to both addresses: [abuse@namesilo.com](#) AND [support@namesilo.com](#). The abuse addy simply bounced. Only the support one responded, through which the following attachment with full headers was realized (below dotted line)

All administrative contacts (email: pw-ded30634bd96d9468ce398673ff7be3a@privacyguardian.org and through webpage [privacyGuardian.org](#)) between this author and the current name owner (registrant [PrivacyGuardian.org](#)) of [virtualcomposer2000.com](#), were never responded to (i.e. they were ignored).

As you can clearly see, the registrar's ([namesilo.com](#)) response message, besides being syntactically illegible gibberish did nothing but suggest that I file a complain case with you (ICANN) or file a copyright/trademark infringement complain with DMCA.

FYI, I registered with DMCA on the side by providing similar evidence to the one I've given ICANN and their response was that they would gladly pick up the case legally for a minimum fee of \$500 non-refundable and non-guaranteed, not including fees/expenses for negotiation/reacquisition of the domain name. They recognise that there is trademark name infringement but not a copyright infringement.

On your additional evidence for prior ownership of this domain name (through [archive.org](#)), please keep in mind that I am still the owner of the email address: virtualcomposer2000@yahoo.com.

Sincerely,
I.N. Galidakis
Mathematics and Celestial Mechanics lab,
Agricultural University of Athens

Begin communication with [silo.com](#): (returned from [support@namesilo.com](#); and bounced from [abuse@namesilo.com](#))

Return-path View brief message headers<[support@namesilo.com](#)>

Received from [ifaistos.aua.gr](#) ([143.233.187.153]) by [pop3.aua.gr](#) (Sun Java(tm) System Messaging Server 6.3-8.04 (built Jul 29 2009; 32bit)) with ESMTMP id <[00KD001Z9DK30060@pop3.aua.gr](#)> for [jgal@aua.gr](#); Wed, 25 Nov 2020 22:43:15 +0200 (EET)
Original-recipient [rfc822:jgal@aua.gr](#)
Received-SPF Pass ([ifaistos.aua.gr](#): domain of [support@namesilo.com](#) designates 162.243.40.215 as permitted sender) identity=mailfrom; client-ip=162.243.40.215; receiver=[ifaistos.aua.gr](#); envelope-from=[support@namesilo.com](#)"; x-sender=[support@namesilo.com](#)"; x-conformance=spf_only; x-record-type="v=spf1"
Received-SPF None ([ifaistos.aua.gr](#): no sender authenticity information available from domain of [postmaster@m1.emailowl.com](#)) identity=hello; client-ip=162.243.40.215; receiver=[ifaistos.aua.gr](#); envelope-from=[support@namesilo.com](#)"; x-sender=[postmaster@m1.emailowl.com](#)"; x-conformance=spf_only
Authentication-Results [ifaistos.aua.gr](#); spf=Pass smtp.mailfrom=[support@namesilo.com](#); spf=None smtp.helo=[postmaster@m1.emailowl.com](#); dkim=pass (signature verified) header.i=@[namesilo.com](#)
IronPort-PHDr
9a23:kPldrhZi2G288bEhlwsIgv/LSx+5ufEezUN459isIpgN6Su+507Yx7avLNgiVbIWYLE77RPjO+E6/mxC1xF2o6ItU5SLJUHyeJcsMmAl5XJyDAEj2N/uaGoxG8EQDVI=X-IronPort-Anti-Spam-Filtered true
X-IronPort-Anti-Spam-Result
A0FrBADPv75ffdc086JGHB0BAQEBCQESAQUFAYIPgSNYKHxYMS6EPYNNMhUKIIEYFhmWSXYFCJgsBAQEPIwoCBAEBAoEDgOUCgiUCHQCBOBMCEAEBBQEBAQIBAwMEAGIQAQEaOoV
X-IronPort-AV E=Sophos;i="5.78,370,1599512400"; d="scan/208,217"; a="21685213"
Received from [m1.emailowl.com](#) ([162.243.40.215]) by [ifaistos.aua.gr](#) with ESMTMP; Wed, 25 Nov 2020 22:38:27 +0200
Received from [zoho.emailowl.com](#) (unknown [69.77.162.44]) (using TLSv1.2 with cipher AECDH-AES256-SHA (256/256 bits)) (No client certificate requested) by [m1.emailowl.com](#) (Postfix) with ESMTPTS id 188B360236; Wed, 25 Nov 2020 15:38:25 -0500 (EST)
Received from [sender4.zoho.com](#) ([sender4.zoho.com](#) [136.143.188.1]) by [zoho.emailowl.com](#) (Postfix) with ESMTPSA id 8E3E7800EE; Wed, 25 Nov 2020 14:38:24 -0600 (CST)
DKIM-Signature v=1; a=rsa-sha256; c=relaxed/simple; d=[namesilo.com](#); s=zoho; t=1606336704; bh=mhyDQxammwXh7Yy4KAnC7SxEzFvW/vez06QHOnrCBs=; h=Date:From:Reply-To:To:Cc:In-Reply-To:References:Subject:From; b=Y+XVvsUQkqoDM2K1ZH1zvNXlqeIYwSCMbJA93PbEgHrjdjBxr7K3QQ8wPXBBaUYJ6 oxa+Q9ZSP8LlQ82hZQrmKf6dxNVtvGW41lkfD/hFqrrnNLMV5HLLnvpHy6ky4G3aI WY/03hSzRcJ+YmEva1LUqdtGRXtbEh3fVVRXUxWjPvRv1NgY0xgHCag5RP1FDs2+c 3KVb27w1HWKQSU07oFSX+16Mj87yDhLSvkW9+BS5tLSeMpt5L10yv2FqP38EYvc2 StSnaobYGS06WhYDqFMUnnKE1zdXvdnuXLVT73715nOJWdEFG6enS8IAYRPgPmRao EWUyfpfxdlJA==
Received from [mail.zoho.com](#) by [mx.zohomail.com](#) with SMTP id 1606336703762770.4058474713117; Wed, 25 Nov 2020 12:38:23 -0800 (PST)

Date Wed, 25 Nov 2020 12:38:23 -0800
From NameSilo Support <support@namesilo.com>
Reply-to support@namesilo.com
To Ioannis Galidakis <jgal@aua.gr>
Cc support@namesilo.com, abuse@namesilo.org
Message-id <7162310cff84f885063ee9b41f2382cb6d6e9d8ec38f641f2c9ec68b72018eb9_4xgvt_1760120ec94@zohodesk.com>
In-reply-to <fb62ba141fe1.5fbec1a@aua.gr>
References <fb35d3b5b2.5fb891be@aua.gr> <7162310cff84f885063ee9b41f2382cba4eb3600281d4ddf73b40abecbe6bece_oujvy_175e89a526f@zohodesk.com>
<fb5fee537ec5.5fbc1e48@aua.gr> <7162310cff84f885063ee9b41f2382cbd7c1aa779932f72d256819a2f8ee1ec2_l37hz_175f6687a97@zohodesk.com>
<fb47eed37172.5fbecbe1@aua.gr> <7162310cff84f885063ee9b41f2382cb6d6e9d8ec38f641f93551275871d4e86_me014_17600deecb6@zohodesk.com>
<fb62ba141fe1.5fbec1a@aua.gr>
Subject Re:[## 194239 ##] Request for domain name transfer
MIME-version 1.0
Content-type multipart/alternative; boundary="-----_Part_602534_1984395603.1606336703757"
User-Agent Zoho Mail
X-Mailer Zoho Mail

What you tried to buy on yahoo is transfer of domain which can only be done by current owner of domain you can buy (register) this domain until it expires. We can also suggest filing an UDRP dispute - https://www.icann.org/resources/pages/help/dndr/udrp-en against domain.

From our side we do not deactivate the domains but if there is any actual abuse on domain you can their hosting provider with report(-s) / DMCA

To find out who's hosting the website, we'd recommend using a tool like this: https://www.whoishostingthis.com

NameSilo Support Team

---- On Wed, 25 Nov 2020 22:31:43 +0200 "Ioannis Galidakis" <jgal@aua.gr> wrote ----

Hi,

Is there any way to block these people (PrivacyGuardian.com) from using the domain name virtualcomposer2000.com?

They are currently abusing my name and are damaging my reputation. They took advantage of the high traffic that was generated by this domain when it was mine[*] and have now set up a single SPAM webpage on this name, so all references to my old website are now directed to this spam. Here's an example:

http://defyne.org/agax/ (click on Ioannis Galidakis and links to the left, etc)

There are also businesses on the web which SELL this domain name, now, for a minimum bid of \$500 (no wonder). Which means they are still in business under the seat, waiting for a good bid for this domain name to get rid of it.

I tried to buy the domain name again with Yahoo, but the name cannot be transferred to Yahoo without their approval or authorization codes. Since they are refusing contact, I am posting a public abuse and name defamation case on my webpage with all appropriate links to all parties involved, until they see it and decide to do something about it.

Many thanks anyway,
I.N. Galidakis
Agricultural University of Athens

[*]Here's a partial list of pages which reference this domain name, collected after lots of work effort and time. Anyone clicking on the links referenced in these pages, goes into their spam page:

https://ingalidakis.com/links/index.html

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

From: NameSilo Support <support@namesilo.com>
Date: Wednesday, November 25, 2020 9:31 pm
Subject: Re:[## 194239 ##] Request for domain name transfer
To: Ioannis Galidakis <jgal@aua.gr>
Cc: support@namesilo.com

> Hi,
>
> We can confirm we see domain owner is actively accessing account but
> we do not know how often they read emails if you send them message
> through privacyguardian email. In regards to authorization codes we
> cannot send you any of that only domain owner can provide this
> information to you.
>
> NameSilo Support Team
>
>
> ---- On Wed, 25 Nov 2020 21:22:38 +0200 "Ioannis
> Galidakis" <jgal@aua.gr> wrote ----
>
>
> > Hi,
> >
> >
> > becoming a nuisance, once more. I contacted PrivacyGuardian.org at
> the email found in the whois page you pointed out
> (pw-ded30634bd96d9468ce398673ff7be3a@privacyguardian.org) and they
> haven't responded after 2 days. I really don't have much time
> available, so let me kindly ask you: Can you, as register send Yahoo
> or me authorization codes for the domain name virtualcomposer2000, so
> the transfer of name to Yahoo can be completed? If you can't or don't
> have the authority, please email me back a quick note saying so, so I
> can cancel my buying of this name with Yahoo. Such a name would be
> useless to me, if I can't point the name servers to Yahoo's servers.
> >
> >
> > PS: It was suggested by Yahoo I contact them by phone (found on the
> whois page again), but I am in Europe and that's an international call
> that costs \$\$\$. If you can help in any other way - such as by finding
> out whether they are alive or dead, I'd greatly appreciate it. Would
> help on figuring out whether the name transfer can be completed.
> >
> >
> > Many thanks and apologies for the third intrusion.
> >

> >
> >
> > Cheers,
> >
> > --
> >
> > I.N. Galidakis
> >
> > Dept. of Mathematics
> >
> > Agricultural University of Athens
> >
> >
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> > ----- Original Message -----

> >
> > From: NameSilo Support <support@namesilo.com>
> >
> > Date: Monday, November 23, 2020 8:45 pm
> >
> > Subject: Re:[## 194239 ##] Request for domain name transfer
> >
> > To: Ioannis Galidakis <jgal@aua.gr>
> >
> > Cc: support@namesilo.com
> >
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> >

> >> Hi,

> >> You shouldn't use their webform, but email the anonymized
> > "Registrant
> > > Email" that you find in the WHOIS for this domain name: <https://www.namesilo.com/whois.php>

> >> That email forwards to an email associated with the domain
> > holder's account.

> >> Best,

> >> NameSilo Support

> >> ---- On Mon, 23 Nov 2020 18:37:32 +0000 "Ioannis

> >> Galidakis"<jgal@aua.gr> wrote ----

> >>> Hi,

> >>> Sorry to bother you again. I tried to contact Privacy Guardian
> > from
> >> their webpage at privacyGuardian.org, but it's been offline for
> >> several days and they don't have any other form of administrator
> >>
> >> contact. Do you by any chance have any other kind of contact for
> > them?

> >
> > > > <https://www.namesilo.com/whois.php> for [virtualcomposer2000.com](https://www.namesilo.com/whois.php)

> > >
> > > >
> > > > ...

> > > > Registry Tech ID:

> > > >
> > > > Tech Name: Domain Administrator

> > > > Tech Organization: See [PrivacyGuardian.org](https://www.namesilo.com/whois.php)

> > > > ...

> > > > Many thanks,

> > > > I.N. Galidakis

> > > > Dept. of Mathematics and Celestial Mechanics

> > > > Agricultural University of Athens

> > > > ----- Original Message -----

> > > > From: NameSilo Support <support@namesilo.com>

> > > > Date: Saturday, November 21, 2020 4:23 am

> > > > Subject: Re:[## 194239 ##] Request for domain name transfer

> > > > To: Ioannis Galidakis <jgal@aua.gr>

> > > > Cc: support@namesilo.com

> > > > Hello,

> > > > The domain you mention was registered again using our
> platform

> > > once it
> >
> > > >
> >
> > > > expired, to recover the domain you need to contact its
> current
> >
> > > owner
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> > > >
> >
> > > > using the details on the WHOIS database:
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> > > >
> > > > >
> >
> > > >
> > > >
> > > > > <https://www.namesilo.com/whois.php>
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> > > > > Regards,
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> > > > > NameSilo Support Team.
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> >
> > > >
> > > > > On Fri, 20 Nov 2020 21:01:09 -0500 "Ioannis
> >
> > > >
> > > > Galidakis" <jgal@aua.gr> wrote ----
> >
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> > > >
> > > > > Hello,
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> >
> > > >
> > > > > I recently purchased the domain [virtualcomposer2000.com](https://www.namesilo.com/whois.php)

> with
> >
> > > Yahoo,
> >
> > > >
> >
> > > > so I kindly need you to transfer this domain name to them. I
> had
> >
> > > this
> >
> > > >
> >
> > > > domain name bought back in 2003 with Yahoo for a personal
> >
> > > webpage, but
> >
> > > >
> > > > the service was discontinued in 2011.
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> > > > > Many thanks,
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> > > > > Sincerely,
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> > > > > I.N. Galidakis
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> > > > > Mathematics Dept.,
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> <https://web.archive.org/web/20020719114114/www.virtualcomposer2000.com/>

>

> Hosting service at Yahoo was discontinued because of health problems,

> around 2010.

> Domain Name was acquired by current registrant (PrivacyGuardian.org)

> sometime in 2013 with NameSilo, LLC, absent my presence:

> -----

> Domain Name: virtualcomposer2000.com

> Registry Domain ID: 1826073691_DOMAIN_COM-VRSN

> Registrar WHOIS Server: whois.namesilo.com

> Registrar URL: <https://www.namesilo.com/>

> Updated Date: 2020-10-23T07:00:00Z

> Creation Date: 2013-09-06T07:00:00Z

> Registrar Registration Expiration Date: 2021-09-06T07:00:00Z

> Registrar: NameSilo, LLC

> Registrar IANA ID: 1479

> Registrar Abuse Contact Email: abuse@namesilo.com

> Registrar Abuse Contact Phone: +1.4805240066

> Domain Status: clientTransferProhibited <https://www.icann.org/epp#clientTransferProhibited>

> -----

> Registry Registrant ID:

> Registrant Name: Domain Administrator

> Registrant Organization: See PrivacyGuardian.org

> Registrant Street: 1928 E. Highland Ave. Ste F104 PMB# 255

> Registrant City: Phoenix

> Registrant State/Province: AZ

> Registrant Postal Code: 85016

> Registrant Country: US

> Registrant Phone: +1.3478717726

> Registrant Phone Ext:

> Registrant Fax:

> Registrant Fax Ext:

> Registrant Email: pw-ded30634bd96d9468ce398673ff7be3a@privacyguardian.org

> Registry Admin ID:

> Admin Name: Domain Administrator

> Admin Organization: See PrivacyGuardian.org

> Admin Street: 1928 E. Highland Ave. Ste F104 PMB# 255

> Admin City: Phoenix

> Admin State/Province: AZ

> Admin Postal Code: 85016

> Admin Country: US

> Admin Phone: +1.3478717726

> Admin Phone Ext:

> Admin Fax:

> Admin Fax Ext:

> Admin Email: pw-ded30634bd96d9468ce398673ff7be3a@privacyguardian.org

> Registry Tech ID:

> Tech Name: Domain Administrator

> Tech Organization: See PrivacyGuardian.org

> Tech Street: 1928 E. Highland Ave. Ste F104 PMB# 255

> Tech City: Phoenix

> Tech State/Province: AZ

> Tech Postal Code: 85016

> Tech Country: US

> Tech Phone: +1.3478717726

>

> The resulting webpage under this domain name is currently used to host

> advertising redirection SPAM, which impinges on my name copyright

> trademark and scientific reputation - original subdomain

> ioannis.virtualcomposer2000.com was highly trafficable, with many

> links to it from external webpages.

> (Sample of page which reference the original domain name, at: <https://ingalidakis.com/links/index.html>)

>

> Tried to buy the domain name back a week ago through Yahoo hosting, so

> I could forward all the traffic to my current website, but Yahoo

> informed me that it cannot be done unless latest registrant name

> transfers the domain name to them (me after I bought it from Yahoo).

> Contacted registrant Privacy Guardian (both under webpage:

> privacyGuardian.org and through

> pw-ded30634bd96d9468ce398673ff7be3a@privacyguardian.org anonymous

> admin email) but they don't respond. Web Page appears dead.

>

> Contacted NameSilo, LLC, but they responded with:

> -----

> What you tried to buy on yahoo is transfer of domain which can only be

> done by current owner of domain you can buy (register) this domain

> until it expires. We can also suggest filing an UDRP dispute -

> <https://www.icann.org/resources/pages/help/dndr/udrp-en> against domain.

>

> From our side we do not deactivate the domains but if there is any

> actual abuse on domain you can their hosting provider with report(-s)

> / DMCA

>

> To find out who's hosting the website, we'd recommend using a tool

> like this: <https://www.whoishostingthis.com>

>

> NameSilo Support Team

> -----

> Checking for availability of the domain name today is generally

> negative, but there are some companies that allow you to buy it, with

> a minimum bid of \$500. Which means privacyGuardian.org is still in

> business trying to sell it.

>

> I'd like to force the current registrant to negotiate a transfer to me

> again. Absent that, I'd like to block their use of this domain name

> because of the name trademark copyright infringement.

>

> My software is still active - although discontinued versionwise:

> <https://ingalidakis.com/programming/composer.html>

>

> Sincerely,

> I.N. Galidakis

> Dept. of athematics & celestial Mechanics

> Agricultural University of Athens

>
> #####

> ref:_00D616tJk._5004MgCyhh:ref

