

Dear Sirs and Madams,

I am sending this message as a supplemental filing in response to the Complainant's supplemental filing.

If the Administrative Panel considers information provided by the Complainant's supplemental filing, the Respondent asks the Administrative Panel to consider herein as additional substantiation of arguments listed in the response and to uphold the Respondent's ownership of the disputed domain names.

The Complainant has agreed that the "NIX" trademark is not registered in the United States of America and that the Complainant has no legal claim to the mark in the United States of America. It is the Complainant's subjective opinion that the domains are confusingly similar, although no evidence to support this statement has been shown. For example, the Complainant has not provided any evidence indicating that anyone has mistaken the disputed domains for the Complainant's site. Furthermore, the Respondent has provided an example of a IT website (i.e. operating in same industry as the Complainant) located at www.nix-solutions.com (seemingly located in Germany), which closely resembles the Complainant's domain, to support the relevance of international trademarks in this dispute, and the argument that the Complainant's sole concern is to censor the Respondent's protest website. The factual content presented on the Respondent's criticism site cannot be argued against by the Complainant and it offends the Complainant's sentiments, so the Complainant seeks the power to remove the protest websites entirely. However, it is essential that other Internet users have access to the Respondent's protest site that carefully documents the Respondent's experiences with the Complainant. It is absolutely necessary to be able to critique and lay bear the facts in the form of a protest website in a free market for consumer protection.

It is widely accepted common knowledge that the international language of commerce is English (please see the following links: <http://www.forbes.com/sites/dorieclark/2012/10/26/english-the-language-of-global-business/> and http://www.businessweek.com/debateroom/archives/2011/05/english_means_business.html). Specializing in outsourced IT development, the Complainant understands this and it's why the Complainant's website, www.nixsolutions.com, is presented in English. There is a Russian version of the Complainant's website available via a small almost unnoticeable text link however the main site is written in English because English is the predominant language used in the Complainant's industry. The Complainant's website portfolio (i.e. clientele) is virtually all English. The Russian version of the Complainant's website does not even contain a portfolio except for a list of several mobile applications of which all are English- not a single project on the Complainant's website is written in Russian or Ukrainian (please find attached screenshots of the Complainant's website in English and Russian versions).

The Complainant operates its outsourced services on www.elance.com which is an English language website located in the United States of America (Elance is an escrow service that provides a platform for clients seeking web development and providers of internet development, such as the Complainant's company, to come together). The Complainant's website and services are English based. The target audience of the Complainant is English companies and English individuals. Therefore the statement that the disputed domain names create a high risk that Internet users will be confusing or associating them with the Complainant's trademark and corporate name is false.

The websites running under the disputed domain names include the opinions of the Respondent based on the Respondent's experience with the Complainant. The Respondent has carefully assembled formidable supporting factual evidence to support those opinions. All language contained on the websites are protected free speech. The Complainant wishes to censor the Respondent based on the irrefutable revelations provided by the Respondent on the websites running under the disputed domain names. The Complainant's takes issue with the content contained on the websites, however those are matters that fall outside the scope of the Policy since the domains are not identical nor confusingly similar to the Complainant's trademark. The Policy is not intended to cover matters of free speech or the other legal claims made by the Complainant .

The Respondent is constantly updating and revising the websites as new information is gleaned and new ideas are implemented. It is the expected evolution of websites of this nature to remain up-to-date and relevant.

I kindly ask you to consider the facts mentioned above and uphold my response.

Thank you.