

Sent electronically

31 July 2025

Dear Mr Aninowsky and Mr Kardwell,

We, the undersigned human rights, free expression, press freedom and digital rights organisations, are writing in regard to the recent suspension of GreatFire's server following a complaint submitted by Group-IB on behalf of Tencent. We are concerned that this decision has severely impacted a vital public interest project documenting online censorship carried out by the Chinese authorities.

While we understand that Vultr must respond to complaints in accordance with your Terms of Service, we would like to request information regarding your processes and due diligence procedures and reverse the decision to suspect the FreeWeChat server. FreeWeChat is widely used by journalists, researchers, and human rights defenders and provides unprecedented insight into the scale of the Chinese authority's ability to censor content and isolate the Chinese population from the global community. This is why GreatFire won the [digital activism award](#) in the 2016 Index on Censorship Freedom of Expression award. Because of the nature of its work, GreatFire has received a significant number of serious threats to its work. This includes a 2015 [DDoS attack](#) against its servers and GitHub page, called the [Great Cannon](#), aspects of which were deployed as part of the Chinese state's "Great Firewall". At the same time, GreatFire's staff work at significant personal risk.

We believe the complaint against GreatFire is not supported by the necessary legal evidence with requisite specificity, nor do we believe the allegations of trademark or copyright infringement, as well as cybersquatting and unfair competition are borne out in GreatFire's FreeWeChat service. In relation to the cybersquatting allegation, there is an established dispute resolution process, called the Uniform Domain Name Dispute Resolution Policy (UDRP), which is administered by ICANN. This is the appropriate avenue for Group-IB's complaint and is distinct from Vultr's role as a server provider and so should have been deemed outside the appropriate scope for your consideration as a hosting provider.

As it relates to alleged copyright infringement, we support GreatFire's assertion of fair use protections. Due to WeChat's [terms of service](#), which confirms that non-China Mainland mobile number users "will continue to own and be responsible" for their content and Weixin's own [terms](#) (for users based in Mainland China), which states "All content uploaded and released during your use of the Software and Service will not transfer intellectual property rights, portrait rights and other rights due to uploading and publishing", we do not believe Tencent can claim copyright over the user-generated content hosted on FreeWeChat. We also note that neither Vultr, CloudFlare nor GreatFire received a DMCA notice, or relevant court order and so GreatFire had no chance to counter the complaint under the relevant statute.

Allegations of trademark infringement should result in the service provider analysing the content within its context to ascertain whether a violation has occurred. The Lapp test, derived from the Lanham Act, is a set of criteria to determine whether a likelihood of

confusion exists between two trademarks. In its responses to GreatFire, it remains unclear how Vultr satisfied itself that the complaint warranted the server to be suspended based on this test. Further to this, there is little evidence that Vultr engaged meaningfully with the nature of GreatFire's work and the political context within which it operates, including the documented threats that GreatFire has faced.

Due to our concerns related to the decision to suspend GreatFire's server, as well as the broader series of threats the organisation has faced, we request the following information:

- What processes Vultr carried out upon receipt of the complaint to scrutinise the legal basis of the violations it included;
- What processes Vultr have in place when they are not themselves the target of the complaint, which has been directed "upstream" to other providers, such as CloudFlare;
- What due diligence procedures were carried out to ensure the legal complaint was not part of a state-backed campaign to target GreatFire; and
- What processes Vultr has in place to ensure its processes cannot be exploited to target public interest information or platforms like GreatFire.

We are aware that GreatFire would be open to returning their services to Vultr, but clarity on these issues is vital to provide the necessary support to GreatFire but also for others who host important information and services on your servers. This lack of clarity as to Vultr's policies that relate to these important issues - reinforced by the absence of policies, guidelines or other supporting documentation on your website - fail to outline a standardised or rights-respecting approach that can adequately communicate your compliance with relevant legal obligations, while also building public trust in your platform.

This has not happened in isolation. In 2021, the website provider Wix, allegedly under pressure from Hong Kong police, shut down the website, 2021HKcharter.com, which was run by Hong Kong opposition activists in exile. While Wix eventually apologised stating "that the website never should have been removed", Nathan Law [called](#) it "a clear example of China's long arm of influence".

For the very same reason, the undersigned organisations urge Vultr to reverse its decision and to adopt safeguards that prevent its infrastructure from being weaponized against public-interest initiatives. GreatFire's tireless efforts to shine a light on the Chinese Government's censorship of online communication through a web service owned by a powerful Chinese company has long faced the ire of the Chinese state. We are concerned that Vultr's decision to suspend their server has, however unintentionally, benefited this campaign to hinder GreatFire's important work.

We await your response.

Warm regards,

Index on Censorship
Fight for The Future (FFTF)
Human Rights in China (HRIC)

Reporters Without Borders (RSF)
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Committee for Freedom in Hong Kong Foundation
Safeguard Defenders
Xinjiang Victims Database
Guardian Project
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