

Summary on the fraud and enforcement method of Villa Europa (VE)

1. Introduction

The purpose of this supplementary document is to summarize the key steps of the method of VE to make and enforce most probably unfounded subsequent claims related to the participation of online webinars organized by the company. Therefore, it is not an official denunciation, and its goal is not to make direct charges or accusations but to help understand the process and some important circumstances. The sources of this summary are the following:

- I. The detailed publicly available documentation of the case of Prof. Axel Brandenburg at <http://norlx65.nordita.org/~brandenb/VE/>
- II. Personal experiences and the results of communications with other victims
- III. Results of communications and data queries from competent Polish (governmental) organizations

2. Outline of the enforcement method

A brief summary is the following: Personal data are obtained in the framework of a scientific webinar. Postal mails containing spam content are sent to the obtained address. It is claimed later that the mails were the documents of a court of arbitration procedure on a payment dispute between VE and the addressee. The decision of the arbitral court is attempted to be enforced at the competent authority.

The details of the process are:

- 1) VE invites professors and researchers for scientific webinars in the name of the fake identity called *Prof. Matteo Ferensby* who is said to be a retired professor of the University of Warsaw and the University of Toronto. This is probably the first **deception**, since it has been confirmed by the universities that there was no such professor. Moreover, there is no trace of scientific activity with this name. There is no notification of any cost related to the webinar (e.g., for organization, registration). Moreover, when anyone asked about possible costs at this early stage, the answer was that the event was free.
- 2) As a part of administration, they ask some personal data, including the home address of the lecturers. This is the basis of their **abuse of personal data outlined** in the next steps.
- 3) After the seminar, they announce by e-mail that they prepared the video of the lecture, and ask the lecturer to confirm its content through e-mail. It's important that the lecturer did not ask previously VE to do video editing and publishing, so there is no agreement (even oral) about that.
- 4) After this step, they send a "Consent to publish video recording and license agreement" via postal mail as a "formality" to publish the video of the recorded lecture. In the long text of the agreement, usually there is a sentence that the lecturer "*agrees to furnish VE a net seven hundred ninety euro for webinar debate and open access publication required for the debate proceedings net two thousand seven hundred eighty five euro to cover editorial work*". (The amounts may change in different cases.) This can be considered a **deception** again, and most lecturers don't even notice this sentence, since a license agreement usually does not contain such elements. Moreover, it is not possible to contractually agree about something which has already been done (webinar organization, video editing, publication). They ask the lecturer to sign this agreement, and send it back to them via postal mail. Furthermore:
There is no deadline in the agreement.
No proper invoice is sent to the lecturer.
No final signed copy is sent back to the lecturer.

Based on personal communication, we know about cases when it turned out that they modified this agreement afterwards according to their interests, which can be **forgery**.

5) Several months later, they send registered postal mails to the personal address of the lecturer with irrelevant (spam) content (e.g., printed documents downloadable from the web, even empty pages to later justify the weight of the letter). The sender written on the envelope is usually:

PESA
ul. Marszałkowska 53/36,
00-676 Warszawa,
Polska (Poland).

No other information is provided. Without further search, it cannot be known that PESA is an alleged “court of arbitration”. Moreover there is no reference to VE or the webinar organized by them, so most victims do not relate them with the spam mails.

If the spam mails are ignored (and probably thrown out) or rejected, then VE later claims that these were the official documents (notification, invitation, decision) of a proper court of arbitration procedure about a payment dispute between the lecturer and VE, but the lecturer ignored all the notifications. In such a case, the court of arbitration can make a decision in the absence of the defendant.

It is important that the postal registration documents of these mails are never shown by VE (only scans of envelopes which might be edited), although these would also be needed to prove the fact of the sending, and justify the identities of the sender and the recipient. See, also point C) in the next section to understand the applied postal mechanism.

6) Using the obtained personal data, they prepare and submit the “decision” of the arbitration court to the competent authority (usually, court) of the target country for enforcement. They refer to the ignored and/or returned registered postal mails mentioned in step 5) to justify the regularity of the arbitration procedure.

Note that with this method, a similar enforcement can be initiated against anyone whose personal data are known (see, step 2)).

After this point, it is very hard to oppose their claim, since the question is no longer the legitimacy of their demand but only the enforceability of the decision of the court of arbitration, which is harder to attack. They only show additional documents (which often seem to be invalid or forged) if the enforcement is opposed in court, and it is needed to give more supporting material.

In summary: VE is deeply interested in the ignorance of their mails and in the non-reachability of the company and PESA for the process to be successful.

3. Additional facts on VE and PESA

A) The only official registered address of Villa Europa in the Polish governmental database suitable to correctly identify the company in any document is:

ul. Sienna 64
00-825 Warszawa
Poland

However, they almost never use this valid address in any of their documents (court of arbitration decisions, letters, invoices, other documents shown to court). Most often, the zip number is changed (e.g., to 00-820, 00-824, 00-807 etc.). The address is incorrect even in the letter of VE sent to Svea Hovratt of inkom: 2022-10-19, malnr. Ö 12191-22 . The address is similarly incorrect in the “decision” of PESA (Sygn. Akt PESA 11-05/SE/2022). The zip number 00-807 corresponds to a completely different district of Warsaw than the location of ul. Sienna. Therefore, these documents seem to be invalid, since a company is minimally identifiable by its correct address.

In its official documents submitted to court, VE uses a company stamp where the zip number is 00-820, which is again incorrect, and therefore, cannot be their legally valid stamp. This also seem to contradict the validity of these documents.

B) Several registered postal mails were sent by us to the given address of PESA readable on their stamp (see, point A) in this section). However, all of them were returned as unclaimed (not rejected or returned by any other reason). Therefore, nobody seems to handle the official mails of PESA at the given address. This shows that PESA does not have a real office at this address, and they are not actually reachable, which questions their whole existence and activity.

C) Using the answer of the Polish Post to our specific question, it can be understood how the ignored postal letters sent in the name of PESA (containing a false address on the envelope) can get back to VE so that they can use them before court:

"We kindly inform, that the information contained in the tracking system shows, that the shipment was returned to the sender (i.e., PESA), sender didn't pick up in time from post office and the shipment with the indicated number has been forwarded as undeliverable to After-Sales Service Department (Dział Obsługi Posprzedażowej). After that, the sender must have contacted the DOP and gave instructions to redirect the shipment to another address (in Podkowa Leśna)."

Therefore, actually, most probably VE sends the letters (containing spam content) in the name of the "independent" arbitration court PESA, which again seems to be a deception and a clear violation of any legal arbitration procedure. Also note that the returned registered mails can only be picked up after the proof of identity of the sender, where the number of identity card or passport is recorded. This data could be requested from the Polish Post, and could finally clarify this important issue.

D) By doing a web-search on PESA, the following site can be found: <https://pesa-court.org> which is written to be the webpage the so-called "Pan European Arbitration Court". It can be verified (<https://who.is/whois/pesa-court.org>) that the web address was registered by VE. Moreover, their statute (https://pesa-court.org/resources/Statut_PESA.pdf) writes in the first paragraph (translation): *"The Pan-European Court of Arbitration (hereinafter referred to as the "Court" or "PESA") of the company Villa Europa with its registered office in Warsaw (hereinafter: "the Administrator") shall be ..."*

Therefore, PESA seems to be the creature of VE, and is not an independent body as they are trying to show.

E) Several registered postal mails were sent to the address of VE (using both the zip number 00-820 readable on their stamp, and also the correct zip number 00-825). All of them were immediately returned by the reception of the office building with the 'moved' indication. However, no new address was registered to the official governmental database, which would be the immediate duty of the company in such a case. This shows that VE is actually unreachable at their registered official address and does not conduct any real activity there (they are not even picking up their mails). Their actual contact data are not published anywhere (e.g., they have no webpage), and not recorded in the official database.

F) As certified translations, they use the stamped translations of the 'Lexigo Boutique' translation agency with a Polish address. However, there is no trace of any translation agency with this name either on the web or in the Polish governmental database. Moreover, a registered postal mail was also sent to the given address of Lexigo Boutiqe, but it was returned as unclaimed, which questions the existence and activity of this agency as well.

G) It can be checked in the Polish governmental database (for any date between 2018 Jan. 1 and the current date) that VE has not had a valid tax (NIP) number since 2018. This means that they may not conduct any business activity such as conference organization or video editing. Moreover, they

may not issue valid invoices which can be legally accepted and paid by any person, company or organization in Europe. In several cases, they displayed their former revoked tax number in documents and pro-forma invoices which are therefore fictitious invoices. It can also be verified at the official EU tax portal, that VE has no valid European VAT number, therefore, they may not conduct cross-border business activity and transactions within the EU.

H) VE gives false bank account data both on their pro-forma invoices used before court and on their webinar website. According to the public IBAN checker, the two account numbers they use, namely PL24 7065 0002 0652 4188 0504 0001 and PL23 7999 9995 0652 4188 0504 0001 correspond to "Spoldzielcza Kasa Oszczednosciowo-Kredytowa im. Franciszka Stefczyka" and "Spoldzielcza Kasa Oszczednosciowo-Kredytowa", and not to "Santander Bank" in Warsaw as they write on the webpage. Moreover, neither of the above mentioned two bank accounts is contained in the Polish official whitelist of company bank accounts. Therefore, they may not be valid company bank accounts. According to the current Polish regulations, it is not allowed to pay for products or services of companies to bank accounts not in the whitelist, and anyone doing this is subject to fine or other punishment depending on the amount of transfer.

I) In several cases, they did not answer to Data Subject Access Requests asking what kind of personal data they are storing and handling about lecturers, and what they are doing with those. This is also part of **abusing personal data** by violating certain rules of GDPR.

4. Important data sources

- Polish official governmental company database (company data are downloadable in pdf form):
<https://ekrs.ms.gov.pl/web/wyszukiwarka-krs/strona-glowna/index.html>
- Official check of the validity of Polish tax numbers and company bank accounts (generates pdf and unique query identifier which is a basis of legal validity of the document, date can be set back to any day since Jan 1, 2018):
<https://www.podatki.gov.pl/wykaz-podatnikow-vat-wyszukiwarka>
- Check of the validity of EU VAT numbers needed for cross-border transactions:
https://ec.europa.eu/taxation_customs/vies/#/vat-validation