

ADMINISTRATIVE PANEL DECISION

Government Employees Insurance Company (“GEICO”) v. Registration Private, Domains By Proxy, LLC / Kanetria Kitchens
Case No. D2022-2284

1. The Parties

The Complainant is Government Employees Insurance Company (“GEICO”), United States of America (“United States”), represented by Burns & Levinson LLP, United States.

The Respondent is Registration Private, Domains By Proxy, LLC, United States / Kanetria Kitchens, United States.

2. The Domain Name and Registrar

The disputed domain name <geicocorporate.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 23, 2022. On June 24, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 24, 2022, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on June 27, 2022 providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on June 27, 2022.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 11, 2022. In accordance with the Rules, paragraph 5, the due date for Response was July 31, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 1, 2022.

The Center appointed Kathryn Lee as the sole panelist in this matter on August 8, 2022. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is an insurance provider which has provided insurance services in the United States under the GEICO trademark since at least 1948. The Complainant's services include insurance brokerage and underwriting for automobiles, motorcycles, homeowners, renters, condominiums, mobile homes, commercial properties, overseas travel, floods, and boats. It has over 18 million policies and is one of the largest auto insurers in the United States with more than 30 million insured vehicles. The Complainant maintains 18 major offices around the country and has over 43,000 employees. The Complainant holds a number of trademark registrations for GEICO including Registration Number 0763274 registered in the United States on January 14, 1964, and International Registration 1178718 registered on September 4, 2013.

The Respondent appears to be an individual with an address in the United States.

The disputed domain name was registered on March 16, 2022, and resolves to a domain name parking page with pay-per-click links.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the GEICO trademark in which the Complainant has rights. The Complainant explains that the disputed domain name incorporates the distinctive GEICO trademark in its entirety, and is therefore identical or confusingly similar to the GEICO trademark regardless of the inclusion of the descriptive or generic term "corporate."

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complaint further contends that the Respondent's use of the disputed domain name to display the pay-per-click links capitalizes on the reputation and goodwill of the Complainant's trademark or otherwise misleads Internet users and therefore does not represent a *bona fide* offering of goods or services.

Finally, the Complainant contends that the disputed domain name was registered and is used in bad faith. The Complainant explains that GEICO is one of the most recognizable insurance brands in the United States and a mark that is known throughout the world, and that the Respondent's registration of the disputed domain name incorporating GEICO creates a presumption of bad faith. The Complainant also contends that the Respondent's use of the disputed domain name to display pay-per-click links and generate undeserved profits from the Complainant's famous trademark constitutes bad faith use of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has demonstrated with supporting evidence that it has rights to the trademark GEICO, registered well before the registration of the disputed domain name. As for the disputed domain name, it

contains the GEICO mark in its entirety along with the term “corporate.” According to WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7, a domain name is considered confusingly similar to a trademark if it “incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name”. In this regard, the GEICO mark is readily recognizable within the disputed domain name. The additional term “corporate” does not prevent a finding of confusing similarity (see [WIPO Overview 3.0](#), section 1.8).

For the reasons mentioned above, the Panel finds that the first element has been established.

B. Rights or Legitimate Interests

On the basis of the present record, the Panel finds that the Complainant has made the required allegations to support a *prima facie* case showing that the Respondent has no rights or legitimate interests in the disputed domain name. Once such a *prima facie* case has been established, the burden of production shifts to the Respondent to demonstrate its rights or legitimate interests in the disputed domain name, with the burden of proof always remaining with the Complainant. However, the Respondent in this case has chosen to file no Response to these assertions by the Complainant, and there is no evidence or allegation in the record that would warrant a finding in favor of the Respondent on this point.

Besides, a respondent’s use of a domain name is not considered “fair” if it falsely suggests affiliation with the trademark owner. See [WIPO Overview 3.0](#), section 2.5.1. Here, the dominant element of the disputed domain name corresponds exactly to the Complainant’s mark, and the additional term “corporate” suggests that the disputed domain name belongs to the Complainant’s corporate department, and carries a risk of implied affiliation. Further, the Respondent’s use of the disputed domain name for a domain parking page does not represent a *bona fide* offering of goods or services since it displays pay-per-click links to competitors of the Complainant, and such use trades on the reputation and goodwill associated with the mark. See [WIPO Overview 3.0](#), section 2.9.

For the reasons provided above, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name, and that the second element has been established.

C. Registered and Used in Bad Faith

The Panel finds that there is strong and clear evidence to find bad faith in this case.

Considering the fame of the Complainant and the Complainant’s trademark, it is highly unlikely for the Respondent to have not known about the Complainant prior to registering the disputed domain name. Rather, especially with no response to claim otherwise, it is more probable that the Respondent registered the disputed domain name with the intention of benefiting from the fame of the mark in some way.

Indeed, by linking the disputed domain name with a parking page displaying pay-per-click links, the Respondent created a likelihood of confusion and benefited commercially from the confusion of Internet users that visited the site by mistake as per paragraph 4(b)(iv) of the Policy. Indeed, there does not seem to be any plausible good faith explanation for the registration and use of the disputed domain name.

For the reasons given above, the Panel finds that the third element has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <geicocorporate.com> be transferred to the Complainant.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: August 22, 2022