

ADMINISTRATIVE PANEL DECISION

LinkedIn Corporation v. Dave Carter
Case No. D2022-3005

1. The Parties

The Complainant is LinkedIn Corporation, United States of America (“United States”), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is Dave Carter, United States.

2. The Domain Names and Registrar

The disputed domain names <linkedin-billing.com>, <linkedincollection.com> and <linkedincollections.com> (the “Disputed Domain Names”) are registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”)

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 15, 2022. On August 15, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Names. On August 16, 2022, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 August 17, 2022. In accordance with the Rules, paragraph 5, the due date for Response was September 6, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 7, 2022.

The Center appointed Martin Schwimmer as the sole panelist in this matter on September 20, 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 one of the world's largest professional networks, with more than 850 million members in more than 200 countries. It has 19,000 full-time employees in 36 offices around the world. The Complainant has used the LINKEDIN trademark since 2003. In particular, it owns United States Reg. No. 3074241 for LINKEDIN, which was registered on March 28, 2006. Likewise, the Complainant uses the domain name <linkedin.com> to identify its website, which was registered in 2002.

The Respondent registered the Disputed Domain Names on July 2, 2022 (<linkedincollections.com>); July 12, 2022 (<linkedincollection.com>); and July 26, 2022 (<linkedin-billing.com>). The Disputed Domain Names resolve to inactive websites. However, the disputed domain name <linkedincollection.com> was used in relation to phishing email fraud.

5. Parties' Contentions

A. Complainant

The Respondent is using one of the three Disputed Domain Names, <linkedincollection.com>, in connection with a phishing email scam, impersonating the Complainant in an attempt to collect payment for fraudulent invoices. An email was sent using an email address originating from the <linkedincollection.com> Disputed Domain Name, falsely identifying the sender as an employee of the Complainant.

The Complainant owns at least 235 trademark registrations in at least 62 jurisdictions worldwide consisting of or including the mark LINKEDIN (the "LINKEDIN Trademark"). It owns, for example, United States Reg. No. 3074241 for LINKEDIN, registered on March 28, 2006; United States Reg. No. 3303349 for LINKEDIN.COM, registered on October 2, 2007; and United States Reg. No. 4007079 for LINKEDIN, registered August 2, 2011.

The Complainant has not authorized the Respondent to use the LINKEDIN Trademark in any matter. The use of the Disputed Domain Names in connection with a phishing scam to impersonate the Complainant is clearly not a *bona fide* offering of goods and services.

The LINKEDIN Trademark is famous and/or widely known. By using the the trademark as part of a phishing scheme the Respondent has clearly targeted the Complainant's LINKEDIN Trademark and has intentionally registered and used the Disputed Domain Names in bad faith for commercial gain.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has clearly established rights in the LINKEDIN Trademark, which is registered in at least 235 jurisdictions.

The Disputed Domain Names incorporate the Complainant's trademark in its entirety. The addition of the words "collection," "collections," and "billing," or a hyphen, do not prevent a finding of confusing similarity between the the Disputed Domain Names and the LINKEDIN Trademark. See WIPO Overview of Panel Views on Selected UDRP Questions, Third Edition ([WIPO Overview 3.0](#)), section 1.8.

Accordingly, the Panel finds that the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The Complainant asserts that it has never assigned, granted, licensed, sold, transferred, or in any authorized the Respondent to register or use the LINKEDIN Trademark in any manner. It asserts that the Respondent is not commonly known by the LINKEDIN name, and that given that the Disputed Domain Names are not used in connection with active websites, the Respondent is not making fair use nor any other *bona fide* use of the Disputed Domain Names.

Furthermore, the Respondent's use of one of the Disputed Domain Names, <linkedincollection.com>, in connection with a phishing scheme to impersonate the Complainant, is clearly not a *bona fide* offering of goods or services.

The Complainant has made a *prima facie* showing under paragraph 4(a)(ii) of the Policy, paragraph 4(c), thus shifting the burden of production to the Respondent to come forward with evidence of rights or legitimate interests in the Disputed Domain Names. The Respondent has not submitted a response to the Complaint or otherwise, in the absence of which the Panel may accept all reasonable inferences and allegations in the Complaint as true.

Accordingly, the Panel finds the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

There is little doubt that the Respondent was aware of the Complainant and its reputation in the LINKEDIN Trademark prior to registering the Disputed Domain Names. Previous UDRP panels have found that the Complainant's LINKEDIN Trademark is well-known. See, e.g., *LinkedIn Corporation v. Contact Privacy Inc. Customer 0138656558 / Scott Offord, Bytes and Sites Inc*, WIPO Case No. [D2016-1171](#) (“[t]he Complainant's LINKEDIN mark is distinctive and well-known”).

By using the Disputed Domain Name <linkedincollection.com> as part of a phishing scam to impersonate the Complainant, the Respondent has acted in bad faith. See, e.g., [WIPO Overview 3.0](#), section 3.1.4 (“the use of a domain name for *per se* illegitimate activity such as [...] phishing [...] is manifestly considered evidence of bad faith”). See also, e.g., *Syngenta Participations AG v. Guillaume Texier, Gobain Ltd*, WIPO Case No. [D2017-1147](#) (finding bad faith where “the disputed domain name was used [...] as an email address to send a request to an employee of the Complainant requesting urgent payment of monies claimed to be due on a false invoice”).

Additionally, the Respondent's three Disputed Domain Names are all confusingly similar to the Complainant's trademark, suggesting a pattern targeting the Complainant. See [WIPO Overview 3.0](#), section 3.1.2.

In these circumstances, the fact that the Disputed Domain Names do not resolve to active websites does not prevent a finding of bad faith. See [WIPO Overview 3.0](#), section 3.3.

Considering all the circumstances, the Panel concludes that the Respondent has registered and used the Disputed Domain Names in bad faith and the Complainant has satisfied paragraph 4(a)(iii) of the Policy.

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 names, <linkedin-billing.com>, <linkedincollection.com> and <linkedincollections.com>, be transferred to the Complainant.

/Martin Schwimmer/

Martin Schwimmer

Sole Panelist

Date: October 10, 2022