

## **ADMINISTRATIVE PANEL DECISION**

G4S Limited v. Ltd “Vitc”  
Case No. DGE2022-0002

### **1. The Parties**

The Complainant is G4S Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is Ltd “Vitc”, Georgia.

### **2. The Domain Name and Registry**

The disputed domain name <g4sgeorgia.ge> (the “Domain Name”) is registered with Caucasus Online LLC (the .GE Registry).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2022. On May 12, 2022, the Center transmitted by email to the .GE Registry a request for registry verification in connection with the Domain Name. On May 13, 2022, the .GE Registry 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 .GE Domain Name Dispute Resolution Policy (the .GE Policy), the Rules for .GE Domain Name Dispute Resolution Policy (the .GE Rules), and the WIPO Supplemental Rules for .GE Domain Name Dispute Resolution Policy (the Supplemental Rules).

In accordance with the .GE Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on May 18, 2022. In accordance with the .GE Rules, paragraph 5, the due date for Response was June 7, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 10, 2022.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on June 12, 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 to ensure compliance with the .GE Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a global security company that provides security and facility services in around 80 countries across the world. The Complainant offers a range of services, broadly divided into the categories of “Security Solutions”, “Cash Solutions”, “Consulting Services” and “Care and Justice Services”. The Complainant has operated under the G4S brand for more than 15 years.

The Complainant has registered numerous trademarks for the G4S term, such as United States of America trademark registration No. 3378800 registered February 5, 2008, and European Union trademark registration No. 015263064 registered September 20, 2016.

The Complainant owns many domain names, such as <g4s.com> registered on December 1, 1999, and country-specific domain names such as <g4s.cz> and <g4s.us>. The Complainant is present at different social media platforms, for example Facebook, Twitter, and LinkedIn.

The Domain Name was registered on January 4, 2022. At the time of the Complaint, the Domain Name resolved to a website with a similar layout as the Complainant’s website. The Respondent’s website included the Complainant’s logo and images and videos taken from the Complainant’s official website. At the time of drafting the Decision, the Domain Name resolved to a webpage warning that the Respondent’s website has been reported as unsafe for containing phishing threats.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant provides evidence of trademark registrations. The Complainant argues that the Domain Name is confusingly similar to the Complainant’s trademark. The Domain Name incorporates the Complainant’s G4S mark with the addition of the geographical term “Georgia”.

The Complainant asserts that the Respondent is not authorized to use the Complainant’s trademark. The Respondent is not commonly known by the Domain Name. The Respondent cannot establish rights in the Domain Name, as it has not made any use of, or demonstrable preparations to use, the Domain Name in connection with a *bona fide* offering of goods or services. The Domain Name has resolved to a website that pretends to be affiliated to the Complainant. Such representation is not genuine good faith use.

The Complainant believes the Respondent must have known of the Complainant’s well-known trademark when the Respondent registered the Domain Name. The Complainant’s earliest G4S trademark registration predates the registration date of the Domain Name by at least 17 years. Moreover, the Respondent’s website impersonates or suggests sponsorship or endorsement by the Complainant. The Complainant argues that the Domain Name is intentionally misleading the public. Finally, the Domain Name registration is currently set up for email purposes. It may suggest that the Domain Name is likely to be used to facilitate fraudulent activity such as phishing.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

##### **A. Identical or Confusingly Similar**

The Complainant has established that it has rights in the trademark G4S. The test for confusing similarity involves the comparison between the trademark and the Domain Name. In this case, the Domain Name

incorporates the Complainant's trademark with the addition of "georgia". The addition does not prevent a finding of confusing similarity; see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.8. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the Top-Level Domain ("TLD"); see [WIPO Overview 3.0](#), section 1.11.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

### **B. Rights or Legitimate Interests**

The Complainant has made unrebutted assertions that it has not granted any authorization to the Respondent to register the Domain Name containing the Complainant's trademark or otherwise make use of its mark. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired unregistered trademark rights. The Respondent cannot establish rights in the Domain Name, as it has not made use of, or demonstrable preparations to use, the Domain Name in connection with a *bona fide* offering of goods or services. The Respondent's use of the Domain Name to impersonate the Complainant is not *bona fide*, rather evidence of bad faith, see below.

The Panel finds that the Complainant has made out an unrebutted *prima facie* case. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

### **C. Registered or Used in Bad Faith**

Based on the Complainant's prior trademark registrations, presence in the market, and the Respondent's use of the Domain Name, the Panel concludes that the Respondent must have been aware of the Complainant when the Respondent registered the Domain Name. The Domain Name has been used to impersonate the Complainant and mislead Internet users. Furthermore, the Domain Name registration is set up for email purposes. Based on the circumstances of the case, it indicates the potential for more bad faith use, such as phishing.

For the reasons set out above, the Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the .GE Policy and 15 of the .GE Rules, the Panel orders that the Domain Name <g4sgeorgia.ge> be transferred to the Complainant.

*/Mathias Lilleengen/*

**Mathias Lilleengen**

Sole Panelist

Date: June 21, 2022