

ADMINISTRATIVE PANEL DECISION

AXA SA v. Portfolio Manager, KKWT

Case No. D2023-0875

1. The Parties

- 1.1 The Complainant is AXA SA, France, represented by Selarl Candé - Blanchard - Ducamp, France.
- 1.2 The Respondent is Portfolio Manager, KKWT, United States of America, represented by Autmoattic Inc., United States of America ("United States" or "US").

2. The Domain Name and Registrar

- 2.1 The disputed domain name <axa.blog> (the "Domain Name") is registered with 1API GmbH (the "Registrar").

3. Procedural History

- 3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 27, 2023. At that time publicly available Whois details for the Domain Name recorded the registrant to be "KKWT" located in Washington DC in the United States, but otherwise redacted contract details for the Domain Name.
- 3.2 On February 27, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 28, 2023, the Registrar transmitted by email to the Center its verification response disclosing further registrant and contact information for the Domain Name. The Center sent an email communication to the Complainant on February 28, 2023, 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 in this respect on the same day.
- 3.3 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").
- 3.4 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 13, 2023. In accordance with the Rules,

paragraph 5, the due date for Response was April 2, 2023. The Response was filed with the Center on March 30, 2023.

- 3.5 On April 5, 2023, the Complainant filed with the Center an unsolicited supplemental submission titled "Response of the Complainant to the Respondent". The question of the admissibility of this submission is dealt with later on in this decision.
- 3.6 The Center appointed Matthew S. Harris as the sole panelist in this matter on April 12, 2023. 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

- 4.1 The Complainant is the holding company of one of the largest insurance groups in the world. Its business has a history that can be traced back to the 18th century, although the name "AXA" was only adopted for that business in 1985. The group is engaged in three major lines of business, *i.e.*, property and casualty insurance, life insurance and savings, and asset management. Since 2018 it has been the world's number one commercial property and casualty insurer. It employs in excess of 110,000 people worldwide, serves 95 million customers and is present in 50 countries, with a particular presence in Europe, North America and Asia Pacific.
- 4.2 The Complainant is the owner of numerous trade marks around the world that comprise or incorporate the term "AXA". They include:
 - (i) International trade mark no. 490 030 for AXA as a word mark filed on December 5, 1984 in classes 35, 36, and 39. That mark has proceeded to registration in whole or in part in over 20 territories.
 - (ii) International trade mark no. 1519781 for a stylised text and device mark filed on May 29, 2019 in classes 35, 36, 37, 39, 44, and 45. That mark has proceeded to registration in whole or in part in over 15 territories, including the United States.
 - (iii) European Union trade mark no. 008 772 766 for AXA as a word mark filed on December 21, 2009 in classes 35 and 36.
- 4.3 The Complainant is also the owner of various domain names that comprise the term "axa" combined with a generic or country code Top Level Domain ("gTLD" or "ccTLD"). They include <axa.com>, <axa.net> and <axa.info>. The <axa.com> domain name has been used for a website to promote the business of the AXA group.
- 4.4 The Complainant previously has been successful in a very large number of proceedings brought under the Policy. One such case is *AXA SA v. Frank Van*, WIPO Case No. [D2014-0863](#) (<axacorporatetrust.com>). However, that success has not been universal. It lost the proceedings in *AXA SA v. Advocates Across America* WIPO Case No. [D2017-2497](#) (<axa.org>) and *AXA SA v. AXA Management Consulting* WIPO Case No. DM[D2017-0003](#) (<axa.md>).
- 4.5 Although at all relevant times the registrant of the Domain Name has been recorded as KKWT, the full name of the registrant would appear to be KKWT Premiums LLC. The Respondent is a wholly-owned subsidiary of Knock Knock WHOIS There, LLC ("Knock Knock"), the registry for the ".blog" gTLD, and is a subsidiary of Automatic Inc, which is also the parent company of WordPress.
- 4.6 The Domain Name is one of approximately 85,000 domain names that the Knock Knock registry identified as "premium domain names". Some of these took the form of common names or words

combined with the “.blog” gTLD. Others took the form of various three letters and/or number combinations with the “.blog” gTLD. The Domain Name is one of a number of these domain names (said to be initially about 3,826 domain names) that has been subsequently released by Knock Knock for sale by the Respondent for sale through “aftermarket partners” such as <Sedo.com> and <Afternic.com>. Exactly when the premium domain names were identified is not clear, but presumably this was around when the <.blog> gTLD was first created. Similarly, it is unclear when the decision was made to offer a number of these Domain Names for sale, but since the creation date for the Domain Name is recorded in Whois details as November 15, 2022, it was presumably on or prior to this date.

- 4.7 On December 8, 2022, the Complainant sent a letter to the Respondent via the abuse email address of the Registrar alleging that the Domain Name infringed its registered trade marks, including its US trade mark rights, and that it “immediately discontinue any and all use of the Domain Name”. In an email dated December 12, 2022 an individual identifying himself as the “.blog portfolio manager” responded to that letter as follows:

“We appreciate your reaching out to us regarding the generic, three-character domain axa.blog. This generic domain is available through our sales partner sedo.com. If you have any further questions, please don't hesitate to let me know.”

- 4.8 Then on December 14, 2022, in response to a further email from the Complainant contending that the registration of the Domain Name involved a breach by the registrant of its registrar-registration agreement”, the same person confirmed that the Domain Name was owned and offered for sale by “KKWT-Premiums”, which was described as a “wholly owned subsidiary of the KKWT registry[, the] [o]wner and operator of the .blog domain extension.” That email also contained the following statement:

“This domain was also registered in accordance with a newly launched program that allows buyers to purchase .blog domain names easier, and through their trusted sales partners, like sedo.com. It also allows for standard annual renewals unlike previously, when domains carried premium renewals. Your registrar CSC was notified of this in November of this year and can provide additional details as well. You can also find more information about our program here.

We, (the .blog registry) would be happy to work with you on acquiring this domain name to further enhance your online presence and usage.”

- 4.9 The Domain Name has not been actively used since its registration.

5. Parties' Contentions

A. Complainant

- 5.1 The Complainant describes the history and extent of the Axa group of companies. In support of its contention that the AXA name is famous worldwide, it provides copies of extracts from its website but an Interbrand report where AXA brand is listed as the 43rd “Best Global Brand”. The Complainant also describes its registered trade marks and identifies various other domain names that it owns. It does not expressly describe whether and to what extent it uses those various domain names, but the fact that at least the <axa.com> domain name is used to promote the AXA group business is apparent from the various exhibits to the Complaint.
- 5.2 The Complainant asserts that the Domain Name incorporates the entirety of its registered trade mark and a likelihood of confusion is “indisputable”. The Complainant claims that the Respondent does not have rights or a legitimate interest in the Domain Name. In this respect it contends that the “Respondent has clearly adopted the Complainant's trademark, which has acquired a substantial

reputation around the world, for its own use and incorporated it into his domain name without the Complainant's authorization". It further contends that the Respondent is not known by the Domain Name and is not using the Domain Name in connection with a *bona fide* offering of goods or services.

- 5.3 So far as bad faith is concerned the Complainant contends that "[o]bviously, the Respondent was aware of the Complainant's AXA trademarks at the time that he [sic] acquired the [Domain Name] due to the undeniable reputation of AXA and its trademarks". It further relies upon the content of the Respondent's emails in December 2022, which are said to demonstrate that the purpose of the registration of the Domain Name was to sell it.

B. Respondent

- 5.4 In its response the Respondent describes the relationship between KKWT Premiums LLC and Knock Knock and seeks to define them collectively in the Response as the "Respondent", listing both entities as the "Respondent" in the header of that document. Knock Knock's status as the registry operator for the ".blog" gTLD is also further explained.

- 5.5 The Response contends that in identifying "premium domain names", Knock Knock acted in a manner that is common practice amongst registries. In explaining how those premium domain names were chosen it asserts:

"Domain names can be deemed a premium name based on a multitude of factors, including but not limited to length of the domain name, and whether it includes common terms, surnames, first names, initials of persons or entities, or descriptors relevant to .blog."

- 5.6 It also asserts:

"Domain names containing only three or four letters are commonly designated as premium domain names because they're easy to remember, and they may align with the initials, nicknames, or acronyms of people, projects, initiatives, and entities."

- 5.7 The Response provides a list of examples of these premium names. So far as three letter domain names are concerned, the examples include:

<arg.blog>, <asl.blog>, <aso.blog>, <ate.blog>, <atm.blog>, <ato.blog>, <aue.blog>, <aug.blog>, <aux.blog>, <aue.blog>, <aug.blog>, <axe.blog>, <aya.blog>, <aye.blog>, <ays.blog>, <azo.blog>, <awa.blog>, <awe.blog>, <0-i.blog>, <088.blog>, <42c.blog>, <65i.blog>, <0q3.blog> and <z7f.blog>

This is said to be a "tiny sample" of these premium domain names and the Response asserts that many of these, like the Domain Name, are "three-letter domain names that start with the letter A".

- 5.8 The Response refers to the decision by the "Respondent" to sell a number of those domain names through aftermarket partners. This is said to "enable it reach a larger audience of potential buyers who may have an affinity to the domain name, perhaps because it represents their initials". It also states:

"An alternative to making premium domains available through markets like Afternic.com is to sell the premium domain name directly. However, selling the domain directly can result in a higher cost to the domain purchaser because they continue to pay the premium domain name fees at renewal."

- 5.9 So far as the Policy is concerned, the Response accepts that the Complainant has the same name as the prefix of the Domain Name, but contends that the Domain Name must be considered as a whole.

In this respect, it doubts whether an average person on the street would understand the Domain Name as suggesting an affiliation between the Complainant and blogging.

- 5.10 The Response further contends that as the “Respondent” is the registry of the <.blog> TLD it has “an inherent right to and legitimate interest in all .blog domain names, including [the Domain Name], and has “an inherent right to sell .blog domain names to a wide range of persons and entities who have an affinity for a particular name — perhaps because it matches their initials or nickname”.
- 5.11 The Response also claims that inherently a registry cannot hold a domain name in its own TLD in bad faith because it automatically manages all domain names within its top-level domain. It contends that “[t]o hold otherwise would mean that all TLD registries are operating in bad faith because a potential domain name includes the name of one of the more than 17 million trademarks in the world.”
- 5.12 It further contends that there is no evidence that “the Respondent engaged in bad faith by becoming the registry operator for the “.blog” gTLD and all the .blog domain names that could be created.” This is also said to be impossible so far as the Domain Name is concerned because there are many business that use that term, and many people in the world with the given name or surname of Axa who may want to use the domain name <axa.blog> in a manner wholly unrelated to Complainant. It also observes that “Axa” appears to be increasingly used as a baby name and that there are “surely millions of people in the world with the initial A X A”. No evidence is offered in support of the contention that there are millions of people in the world with these initials, but examples of the use of the term “Axa” as a name for businesses and individuals is provided. It also refers in this respect to the cases of *AXA SA v. Advocates Across America* WIPO Case No. [D2017-2497](#) (<axa.org>) and *AXA SA v. AXA Management Consulting* WIPO Case No. [DMD2017-0003](#) (<axa.md>), which were previously lost by the Complainant.
- 5.13 The end of the Response also contains the following statement:

“If Complainant is able to prevail in this claim, all registries could be forced to give away almost any domain names for free, despite registries spending substantial resources to manage the domain names. The entire business model of the Internet would need to change.”

6. Discussion and Findings

- 6.1 It is incumbent on the Complainant to make out its case in all respects set out in paragraph 4(a) of the Policy. Namely, the Complainant must prove that:
- (i) the Domain Name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights (paragraph 4(a)(i)); and
 - (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name (paragraph 4(a)(ii)); and
 - (iii) the Domain Name has been registered and is being used in bad faith (paragraph 4(a)(iii)).
- 6.2 The Panel will address each requirement of the Policy in turn. But before doing so the Panel will address the procedural matter of whether and to what extent it should take into account the Complainant’s unsolicited additional submission.
- 6.3 Further, the Panel notes that, as has already been recorded in Parties Contentious section of this decision, the Response identifies the Respondent in this case to be a combination of KKWT Premiums LLC and Knock Knock. The Panel is not convinced that this is right. These are two separate legal entities, the registration details for the Domain Name record KKWT as the registrant, and it appears to be undisputed that KKWT Premiums LLC is that registrant. Accordingly, the Panel when referring to

the Respondent in these proceedings is referring to that entity only. That said, it is implicit in the Response that although they are separate legal entities, KKWT Premiums is wholly owned and controlled by the Knock Knock registry, and when it comes to assessing KKWT Premiums LLC and Knock Knock's dealings with this Domain Name, they have essentially operated as one entity. The Complainant does not appear to dispute this, and the Panel proceeds accordingly.

A. The Complainant's Additional Submission

6.4 As is recorded in section 4.6 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), unsolicited supplemental filings are generally discouraged, unless requested by the panel. This section of the [WIPO Overview 3.0](#) also records:

“panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some “exceptional” circumstance).”

6.5 In the present case the Panel is satisfied that, even though it was not requested, there is good reason to allow the Complainant to submit an additional submission limited to addressing the specific points raised in the Response as to the Respondent's relationship with the operator of the <.blog> registry and the alleged special status of the Respondent as a result of that relationship. Arguably the Respondent's connection with the registry was disclosed to Complainant in correspondence in December 2022, but the way in which this was expressed was not entirely clear. Further, the Respondent's explanation as to the selection and sale of premium domain names appears to have only been provided for the first time in the Response.

6.6 Finally, this case does appear to be exceptional, or at least highly unusual, in that the Domain Name has been registered at the instigation of a registry. As this decision goes on to address, there have been many cases where the respondent in proceedings has been a registrar, but the Panel is not aware of a previous case where the registry's registration has been called into question, let alone one which relates to a registry's selection of “premium names” at the time the registry was set up. Given this, it is preferable that the Panel has the benefit of both parties' submissions in this respect.

6.7 For these reasons, the Panel has considered and taken into accounts those parts of the additional submission that relate to these particular issues, in reaching its conclusions in this case.

B. Identical or Confusingly Similar

6.8 The Complainant has satisfied the Panel that it has registered trade mark rights in the term “AXA” in a number of jurisdictions. In order to demonstrate the first element of the Policy it is usually sufficient for a complainant to show that the relevant mark is “recognizable with the disputed domain name” (see section 1.7 of the [WIPO Overview 3.0](#)).

6.9 The Domain Name can be most sensibly understood as the term “AXA” combined with the “.blog” gTLD. The Complainant's mark is, therefore, clearly recognisable in the Domain Name. The Complainant has, therefore, demonstrated that the Domain Name is at least confusingly similar to a trade mark or service mark in which the Complainant has rights and has, thereby, made out the requirements of paragraph 4(a)(i) of the Policy.

6.10 The Panel notes the Respondent's expressed scepticism as to whether the average person on the street would consider the Domain Name as suggesting an affiliation between the Complainant and blogging. The Panel thinks this scepticism is misplaced. Many businesses operate a blog. Indeed, the Respondent's own staff appeared keen in December 2022 to persuade the Complainant of the merits of the Complainant acquiring and using the Domain Name to further “enhance [its] online presence”. Although the exact form that enhanced “online presence” would take was not expressly

identified, this statement can be most sensibly understood as a reference to the potential use of the Domain Name by the Complainant in some manner associated with a blog or blogging. However, ultimately this does not matter. Whether the average man in the street would consider the Domain Name as suggesting an affiliation between the Complainant and blogging, is not the relevant test when it comes to assessing whether the Domain Name and the Complainant's marks are confusingly similar for the purposes of the Policy.

C. Rights or Legitimate Interests

- 6.11 The Respondent's position appears to be that because it can be considered to be the same entity as the .blog registry it has an inherent right to, and legitimate interest in, all .blog domain names, including the Domain Name.
- 6.12 Even if one ignores the fact that the Respondent is not actually the registry, in the opinion of the Panel this position is misconceived. As the Complainant correctly contends in its additional submission, this point is partly addressed in section 4.19 of the [WIPO Overview 3.0](#). This states as follows:
- “Can a registry or registrar be liable under the UDRP?
- When acting solely in its capacity as a registry or registrar, and not also as a registrant, a registry or registrar is not subject to jurisdiction under the UDRP as a respondent.
- A registry or registrar would be subject to jurisdiction under the UDRP where it has registered a domain name for itself, and not demonstrably on behalf of a specific third-party registrant customer. Typically in such cases a registry- or registrar-affiliated entity, as opposed to the registry or registrar itself, is at least listed in the relevant Whols as the registrant.”
- 6.13 In the present case the registry is not acting and dealing with the Domain Name for and on behalf of an unrelated third party merely as the technical operator of the .blog registry. It has instead decided to register and hold the Domain Name in the name of a wholly owned subsidiary with a view to onward sale to some third party. In so doing, its subsidiary has become the registrant of the Domain Name and is thereby subject to the UDRP like any other registrant.
- 6.14 As far as the Panel can tell, each of the cases cited in support of this contention in section 4.19 of the [WIPO Overview 3.0](#) involve registrars rather than registries, but there is no obvious reason why registrars and registries should be treated differently in this respect. Both perform a function in the operation of the domain name system, but once they stray outside of the performance of that function and start registering domain names either directly or in the name of entities that they control, there is no obvious reason why the UDRP should not apply.
- 6.15 There is also a further problem for the Respondent in that its contentions in this respect attempt to elide the rights and legitimate interests that may or may not exist in a particular registered domain name with a registry's general interest in the general operation of the registry itself. They are not the same thing, and it does not necessarily follow that because a registry has what could be described as a legitimate interest in the operation of its registry, that it has a relevant right or legitimate interest for the purpose of the Policy in every domain name that is part of that registry regardless of the form that domain name may take. Indeed, were that not the case, the possibility of abuse by a rogue registry would be obvious.
- 6.16 Given this, the Respondent's claim as to right or legitimate interest in the Domain Name turns upon why, like any other registrant, it has registered and continues to hold this particular domain name. The fact the Respondent is the creature of the registry and holds it for the benefit of the registry is obviously a relevant fact to be taken into account when considering that question. It is part of the explanation as to why the domain name is being held. But the Respondent's relationship with the registry does not automatically give it a legitimate interest in this respect.

- 6.17 However, given the findings of the Panel when it comes to registration and use in bad faith, there is no need to consider the question of whether the Respondent has any right or legitimate interest in the Domain Name any further.

D. Registered and Used in Bad Faith

- 6.18 In its Response the Respondent contends that it cannot hold a domain name in its own TLD in bad faith. The argument here is just a variation on the argument that because of its association with the registry, it automatically has a right or legitimate interest in that domain name. For the same reasons, it is equally flawed.
- 6.19 The Respondent claims that to “hold otherwise would mean that all TLD registries are operating in bad faith because a potential domain name includes the name of one of the more than 17 million trademarks in the world” and that if the Complainant prevailed in this case “all registries could be forced to give away almost any domain names for free, despite registries spending substantial resources to manage the domain names”. It also contends that “[t]he entire business model of the Internet would need to change”. These claims are hyperbole that lacks even the remotest legal basis. Once again, they mistakenly confuse the ordinary acts of a registry in the operation of that registry for the benefit of third party registrants, with that act of becoming, whether directly or indirectly, the actual registrant of certain domain names. The domain name system would not fall apart, nor would the business model of the Internet need to change, if this case were decided in favour of the Complainant. Such a decision would merely confirm that where a registry decides to become either directly or indirectly the registrant of a domain name in its own registry, it is subject to the same rules in relation to that registration as is every other registrant.
- 6.20 However, notwithstanding this conclusion and albeit with some hesitation, the Panel has formed the view that in this particular instance the Complainant has failed to satisfy the Panel on the balance of probabilities (or to use US legal terminology, the preponderance of the evidence) that that the Domain Name was registered and has been held in order to take unfair advantage of the Complainant’s trade mark rights.
- 6.21 The Respondent has explained in some detail how the Domain Name was identified as a “premium domain” name at the time the registry was set up including how these “premium domains” were chosen. The process described strikes the Panel as reasonably credible on its face, is one that the Panel accepts is the same as or at least similar to that adopted by other registries, and it *prima facie* provides a reasonable explanation as to why the Domain Name would be included in any list of premium domain names without any intent to take advantage of the Complainant’s use of, reputation in and registered trade mark rights in, the term “AXA”. This explanation is supported by a list of examples of other similar three letter domain names.
- 6.22 The main reason for the Panel’s hesitancy, is that notwithstanding that the Complainant has clearly and unambiguously asserted that the Domain Name was chosen with both knowledge of the Complainant’s rights and with the intention of sale to the Complainant, the Respondent has never quite directly responded to those allegations. A related concern here is there is also no explanation as to why among the many domain names identified as premium domain names, the Domain Name (as opposed to others) was chosen to form part of the subset of the greater number of premium domain names that were registered in the name of the Respondent in November 2022. As this appears to be the date upon which the Domain Name was first formally registered and, therefore, the date upon which the question of bad faith registration is to be assessed, the Respondent and registry’s exact intentions at this particular time are potentially significant.
- 6.23 Nevertheless, insufficient evidence is proffered by the Complainant that supports its contention that at the time the Domain Name was registered the Respondent specifically targeted the Complainant. In particular:

- (i) Notwithstanding the degree of fame of the Complainant's mark (which the Panel accepts is considerable) and the Respondent's somewhat improbable claims that millions of people have "axa" as their initials, it is not alleged, nor could it be sensibly alleged, that the Domain Name can only be understood as referring to the Complainant or its business. On the contrary the Complainant expressly accepts in its supplementary submission that the Domain Name is one that might be legitimately used by third-party companies or individuals. This is not a case, similar to many other UDRP proceedings in which the Complainant has been successful, where the domain name contains some addition to the term "Axa" that of itself provides evidence that the Complainant's business has been targeted.
- (ii) The Complainant does not contend that the Respondent has sought a price for the Domain Name that can only be credibly explained by reference to its association with the Complainant and its rights, rather than its value as a three-letter domain. Any evidence and argument by reference to an alleged "excessive" sale price for of a domain name is something that needs to be approached with care. An ordinary registrant is able to sell a domain name for whatever price he thinks he can get, but the price sought can on occasion constitute compelling evidence of a registrant's intent. Also, in the present case the registrant is not just an ordinary registrant, but is in effect the creature of the Knock Knock registry. However, the Complainant has not advanced any argument or evidence in this respect.
- (iii) The Respondent and the Knock Knock registry are also claiming that one of the reasons why the Domain Name was registered and offered for sale by the Respondent was that this would most likely make the Domain Name cheaper to hold over a reasonably prolonged period than would be the case if it had been acquired directly as a premium name from the registry. If that claim were shown to be untrue, that might well be evidence that supports the Complainant's case. Why the Respondent was offering for sale a domain name at a price that is greater than that it was previously available for as a premium domain name, would call out for an explanation and a panel might draw an adverse inference from its absence. However, there is no assertion by the Complainant, or evidence before the Panel that suggests, that the Respondent's claims in this respect are untruthful.
- (iv) It is not seriously disputed that the Domain Name was identified as part of the registry's premium domain name selection and subsequent registration process. If the specific reputation and trade mark rights of businesses influenced that selection and registration process, it seems improbable that the Complainant is the only business and rights holder that would have been so targeted. However, there is no evidence before the Panel that other rights holders have been similarly targeted, whether that evidence be in the form of other UDRP cases brought against the registry and/or the Respondent or otherwise.

6.24 Given that the Complainant has failed to satisfy the Panel that the Domain Name was registered with the intention of unfairly targeting the Complainant or its marks, it follows that the Complainant has also failed to satisfy the Panel that the Domain Name was either registered or used in bad faith.

6.25 Therefore, on this relatively conventional basis (as opposed to the arguments of the Respondent that it is in a privileged position as a result of its control by the relevant registry) the Complaint fails.

7. Decision

7.1 For the foregoing reasons, the Complaint is denied.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: April 21, 2023