

ADMINISTRATIVE PANEL DECISION

G4S Limited v. Host Master, Transure Enterprise Ltd

Case No. D2023-2263

1. The Parties

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

The Respondent is Host Master, Transure Enterprise Ltd, United States of America.

2. The Domain Names and Registrar

The Domain Names <g1g4spb.com>, <g4scareandjustice.com>, <g4scareandjusticesolutions.com>, <g4scargo.com>, <g4sc.cc>, <g4scommandcenter.net>, <g4sdigital.com>, <g4secureresolutions.net>, <g4securityint.com>, <g4s-group.net>, <g4s-g4s.com>, <g4sid.com>, <g4sjusticeguam.com>, <g4solutions.org>, <g4sprogaming.com>, <g4sqatar.com>, <g4sresponse.co>, <g4s-secureresolutions.net>, <g4ssecuresolutions.net>, <g4ssecuresolutionsseattle.com>, <g4ss.org>, <g4surf.com>, <g4swtor.com>, <g4s1.info>, <jobg4s.com>, <lg4s.com>, <mailg4s.com>, <nl-g4s.com>, <uk-g4s.co>, <uk-g4s.com> (the “Domain Names”) are registered with Above.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 24, 2023. On May 25, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On May 30, 2023, the Registrar transmitted by email to the Center its verification response disclosing Respondent and contact information for the Domain Names which differed from the named Respondent (Host Master) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 13, 2023 providing the Respondent and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

The Complainant requested the addition of six domain names on June 14, 2023. On June 22, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On June 27, 2023, the Registrar transmitted by email to the Center its verification response disclosing Respondent and contact information for the Domain Names which differed from the named Respondent (Host Master) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 27, 2023 providing the Respondent and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

The Complainant filed an amended Complaint and withdrew six domain names on July 10, 2023.

The Center verified that the Complaint amended 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 17, 2023. In accordance with the Rules, paragraph 5, the due date for Response was August 6, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 21, 2023.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on August 30, 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

The following facts are undisputed.

The Complainant is a London-based global security company providing a diverse range of security and facility services in more than 90 countries worldwide. The company was founded in 1901 and has been operating under its current name, G4S, since 2004. The group to which the Complainant belongs has a network of more than 800,000 employees worldwide.

The Complainant is the owner of many trademark registrations worldwide comprising of the element G4S, including but not limited to, the European Union Trade Mark registration G4S (word mark), with registration no. 015263064, and with registration date of September 20, 2016, for goods and services in classes 6, 36, 37, and the International Registration for G4S (word mark), with registration no. 885912, and with registration date of October 11, 2005, for goods and services in classes 1, 5, 6, 9, 16, 35, 36, 37, 38, 39, 41, 42, 44, and 45, designating, *inter alia*, Australia, China, and the United States of America (together hereinafter referred to as the “G4S Trademark”)

The Domain Names were registered between September 13, 2022, and February 5, 2023. The Domain Names all redirect to a website (the “Website”), indicating that the specific domain name is being parked whilst displaying multiple pay-per-click links to third-party websites. In the examples submitted by the Complainant, some links redirected to websites of companies competing with the Complainant.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Notably, the Complainant contends that the Domain Names are all confusingly similar to the G4S Trademark in which the Complainant has longstanding rights. More specifically, the Domain Names all consist of the G4S Trademark in its entirety, to which the Respondent has added different terms, such as “commandcenter”, “response”, and “careandjusticesolutions”. The G4S Trademark is the dominant and distinctive element in all thirty Domain Names and the additional terms refer to either services or activities conducted by the Complainant.

Moreover, the Respondent has no prior rights nor legitimate interests in the Domain Names. The Complainant has not licensed nor otherwise permitted the Respondent to use any of its trademarks or to register domain names incorporating the G4S Trademark. There is also no proof that the Respondent is commonly known by the term G4S or any of the Domain Names. In addition to this, the Respondent is making neither a *bona fide* offering of goods or services, nor a legitimate, noncommercial fair use of the Domain Names. The Domain Names all resolve to the Website, displaying multiple pay-per-click links, that lead to websites that are in direct competition with the Complainant's activities.

In addition to this, the Domain Names have been registered and used in bad faith. The Respondent chose to register thirty different domain names containing the element 'G4S' in which the Complainant has longstanding rights. Hence, there is no other explanation than that the Respondent targeted the Complainant for the primary intention of taking advantage of the good name and reputation of the G4S Trademark. Further, the registration of the Domain Names engages in a pattern of cybersquatting, and the Respondent has been involved in numerous prior UDRP proceedings in which such pattern has been established. Last, email servers have been activated for the Domain Names, making it all the more likely that the Domain Names are being used by the Respondent for fraudulent activities.

B. Respondent

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

6. Discussion and Findings

Pursuant to paragraph 4(a) of the Policy, the Complainant must prove each of the following three elements:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names have been registered and are being used in bad faith

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark, the G4S Trademark, and the Domain Names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the mark is reproduced within the Domain Names. Accordingly, the Domain Names are identical or confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the G4S Trademark is recognizable within the Domain Names. Accordingly, the Domain Names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other letters, or terms, such as "response", "uk", "group", "command", "center", "mail", "care", "and", "justice", "solutions", "qatar" and "job", among others, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Based on the available record, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a *prima facie* case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the Domain Names. The Respondent has not rebutted the Complainant’s *prima facie* showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names such as those enumerated in the Policy or otherwise.

The Panel considers that the record of this case reflects that:

- Before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Names or a name corresponding to the Domain Names in connection with a *bona fide* offering of goods or services. Paragraph 4(c)(i) of the Policy, and [WIPO Overview 3.0](#), section 2.2.
- The Respondent is not making a legitimate noncommercial or fair use of the Domain Names, without intent for commercial gain to misleadingly divert consumers or to tarnish the G4S Trademark. Paragraph 4(c)(iii) of the Policy, and [WIPO Overview 3.0](#), section 2.4.
- Regarding the fair use assessment, the Panel notably considers the fact that the Respondent has engaged in a pattern of registering domain names corresponding to marks held by the Complainant. [WIPO Overview 3.0](#), section 2.5.2.
- The record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Names.

Further adding to the above, panels have generally found that the use of a domain name to host a parked page comprising of pay-per-click links does not represent a *bona fide* offering where such links compete with or capitalize on the reputation and goodwill of the complainant’s mark or otherwise mislead Internet users. See [WIPO Overview 3.0](#), section 2.9. Seeing that the pay-per-click links on the Website, to which the Domain Names resolve, link to different websites that are also in direct competition with the Complainant, the Panel finds that the Respondent is not making use of the Domain Names in connection with a *bona fide* offering of goods or services or for noncommercial or fair use purposes. As such, the Panel finds that the Respondent has no rights or legitimate interests in relation to the Domain Names.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel considers that the record of this case reflects that:

- the Respondent has registered the Domain Names in order to prevent the Complainant, as the owner of the corresponding G4S Trademark, from reflecting its trademarks in corresponding domain names.
- the Respondent has intentionally targeted the Complainant by registering thirty different domain names all comprising of the G4S Trademark owned by the Complainant. The Respondent has shown to have engaged in a pattern of such conduct.
- the Respondent has not only targeted the Complainant's G4S Trademark but has shown similar conduct in other prior UDRP proceedings.
- the Respondent activated mail exchange ("MX") records for the Domain Names, making it all the more likely that the Domain Names will be used for phishing or other fraudulent purposes.

In the present case, the Panel notes that the Website to which the Domain Names resolve is a parked website with sponsored links to third-party websites which sufficiently establishes evidence of bad faith. All the more so, because the sponsored links direct to third-party websites that are in direct competition with the Complainant.

The Panel further notes that the Respondent chose to register thirty domain names that are all comprised of the G4S Trademark and combined these with activities and services that relate to the Complainant. Accordingly, in the Panel's view, the Respondent must have been aware of the existence of the Complainant's activities and rights at the time the Respondent registered the Domain Names. In doing so, the Respondent is intentionally cybersquatting the Domain Names. Consequently, the Respondent has registered and is using the Domain Names in bad faith.

A finding of registration and use in bad faith is also supported by the lack of response. The Respondent has chosen not to reply to the cease and desist letter prior to the UDRP proceedings. Moreover, the Respondent chose not to file a Response in order to rebut the claims from the Complainant.

Further adding to the registration and use in bad faith is the fact that the Respondent has activated email servers for the Domain Names, making it all the more likely that the Domain Names are being used or will be used by the Respondent for fraudulent activities.

Having reviewed the record, the Panel finds the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy.

Based on the available record, the Panel finds the third element of the Policy 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 Domain Names, <g1g4spb.com>, <g4scareandjustice.com>, <g4scareandjusticesolutions.com>, <g4scargo.com>, <g4sc.cc>, <g4scommandcenter.net>, <g4sdigital.com>, <g4secoresolutions.net>, <g4securityint.com>, <g4s-group.net>, <g4s-g4s.com>, <g4sid.com>, <g4sjusticeguam.com>, <g4solutions.org>, <g4sprogaming.com>, <g4sqatar.com>, <g4sresponse.co>, <g4s-securesolutions.net>, <g4ssecuresolutions.net>, <g4ssecuresolutionsseattle.com>, <g4ss.org>, <g4surf.com>, <g4swtor.com>, <g4s1.info>, <jobg4s.com>, <lg4s.com>, <mailg4s.com>, <nl-g4s.com>, <uk-g4s.co>, <uk-g4s.com> be transferred to the Complainant.

/Willem J. H. Leppink/

Willem J. H. Leppink

Sole Panelist

Date: September 12, 2023