

## **ADMINISTRATIVE PANEL DECISION**

LinkedIn Corporation v. Milen Radumilo  
Case No. D2023-2291

### **1. The Parties**

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

The Respondent is Milen Radumilo, Romania.

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

The disputed domain name <httplinkedin.com> is registered with Tucows Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 26, 2023. On May 26, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 26, 2023, 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 (Contact Privacy Inc. Customer 0162478486) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 2, 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 on June 2, 2023.

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 June 15, 2023. In accordance with the Rules, paragraph 5, the due date for Response was July 5, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 6, 2023.

The Center appointed Luis Miguel Beneyto Garcia-Reyes as the sole panelist in this matter on July 11, 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 Complainant is a leading company in the professional social networks sector since 2003.

The letters “HTTP” in the disputed domain name match the acronym of “Hypertext Transfer Protocol”, which is very commonly used as a way to give internet users to interact with web resources.

The Complainant is the owner of several trademark registrations that consist in the name LINKEDIN. The Complainant has registered and accredited the existence of the following trademarks:

- U.S. Registration No. 3,074,241 for LINKEDIN in class 35 (registered March 28, 2006);
- U.S. Registration No. 4,007,079 for LINKEDIN in class 45 (registered August 2, 2011); and
- International Registration No. 1,368,414 for LINKEDIN in class 41 (registered April 27, 2017).

The disputed domain name was registered on August 31, 2021, and redirected visitors to a website displaying a message regarding “a standard security check” in order to install an unwanted and suspicious browser extension. The disputed domain name also resolved to a website with Pay-Per-Click links.

#### **5. Parties’ Contentions**

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

The Complainant connects the world’s professionals to make them more productive and successful. It was founded in 2003 and has more than 930 million members in more than 200 countries, and can be considered as the world’s largest professional network on the Internet.

The Complainant is the registrant of numerous domain names, including <linkedin.com>, which it registered on November 2, 2002, and which it uses in connection with its primary website.

The Respondent is using the disputed domain name to redirect visitors to a website that tries to trick them into “a standard security check” to install an unwanted and suspicious browser extension, as well as in connection with a PPC or monetized parking page that includes links for services related to the LINKEDIN trademark.

Several security vendors have flagged the disputed domain name as malicious.

The Complainant is the owner of at least 235 trademark registrations in at least 62 jurisdictions worldwide that consist of or include the mark LINKEDIN including International registration No. 1368414 LINKEDIN, registered in 2017.

The disputed domain name contains the LINKEDIN trademark in its entirety and the inclusion of the letters “http” (abbreviation for “hypertext transfer protocol”, very commonly used) does not offer any distinctiveness so the disputed domain name is confusingly similar to the LINKEDIN trademark

The Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the LINKEDIN trademark in any manner; the Respondent has never been commonly known by the disputed domain name nor has never acquired any trademark in relation to the disputed domain name, so the Respondent has no rights or legitimate interests in respect of the disputed domain name

The disputed domain name should be considered as having been registered and used in bad faith by the Respondent considering that the registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity and that the only explanation for the Respondent’s motive in registering and using the website seems to be simply to disrupt the Complainant’s relationship with its customers or potential customers or attempt to attract Internet users for potential gain.

Additionally the Respondent has established mail exchange ("MX") records for the disputed domain name, which enables him to use the disputed domain name to send and receive email and it's a further evidence of bad faith. The Respondent is also using the disputed domain name to redirect visitors to a website that tries to trick them into a standard security check to install an unwanted and suspicious browser extension, which should also be considered as proof of bad faith given that it disrupts the business of the Complainant.

## **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 its rights in the mark LINKEDIN protected by several trademark registrations in which this word LINKEDIN is the only, or the fundamental element

The disputed domain name incorporates the Complainant's trademark in its entirety. Additionally, the inclusion of the letters "http" does not prevent a finding of confusing similarity with the Complainant's trademark.

It is unquestionable, therefore, that the disputed domain name <httplinkedin.com> is confusingly similar to the Complainant's trademark. Therefore, the first of the requirements of paragraph 4(a) of the Policy is established.

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

The Respondent has not filed a response to the Complaint, so it is not possible to know the Respondent's version of the possible existence of such rights or legitimate interests.

However, having examined the file and all the circumstances and facts contained therein, this Panel finds that:

- In view of the established reputation of the Complainant's LINKEDIN trademark, and noting the nature of the disputed domain name, it is not reasonable to believe that the Respondent has any rights or legitimate interests in the disputed domain name;
- The Complainant has established a *prima facie* case of the Respondent's lack of rights or legitimate interests; and
- The absence of a Response to the Complaint means that the Respondent has not rebutted the Complainant's *prima facie* case of lack of rights or legitimate interests.

The Panel therefore finds that the Complainant has also satisfied the second requirement of paragraph 4(a) of the Policy.

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

The Panel finds that the Complainant has submitted evidence to conclude that there is indeed bad faith on the part of the Respondent.

This conclusion is reached if we take into account that the Complainant's trademark LINKEDIN is well-known at the international level. The Respondent, consequently, must have been aware of the Complainant and its trademark at the time of registration of the disputed domain name.

Secondly, it is commonly known that the letters “http”, included at the beginning of the disputed domain name, match the initials of “Hypertext Transfer Protocol” which makes it even more likely that any user will understand that they are connecting to a website that is truly related to the services provided by the Complainant through its LINKEDIN trademark.

Obviously, the inclusion of the well-known trademark LINKEDIN in the disputed domain name cannot therefore be considered to be coincidental.

According to the evidence provided by the Complainant the disputed domain name redirected visitors to a website displaying a message regarding “a standard security check” in order to install an unwanted and suspicious browser extension, and resolves to a website with PPC links. In accordance with paragraph 4(b)(iv) of the Policy, the Panel finds that such uses constitute bad faith.

The Panel thus holds that the third element required under paragraph 4(a) of the Policy is likewise present here.

## **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, <httplinkedin.com>, be transferred to the Complainant.

*/Luis Miguel Beneyto Garcia-Reyes/*

**Luis Miguel Beneyto Garcia-Reyes**

Sole Panelist

Date: July 25, 2023