

ADMINISTRATIVE PANEL DECISION

QatarEnergy v. Hong Wang
Case No. DTV2023-0001

1. The Parties

The Complainant is QatarEnergy, Qatar, represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Hong Wang, China.

2. The Domain Name and Registrar

The disputed domain name <qatarenergy.tv> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 21, 2023. On March 21, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 22, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 29, 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 amended Complaint on April 3, 2023.

The Center received several email communications from the Respondent on March 29 and April 3, 2023 in which the Respondent appears to be willing to settle the dispute. On April 3, 2023, the Center informed the Parties that if they wished to explore settlement options, the Complainant should submit a request to suspend the proceeding. On the same day, the Complainant indicated that it would like to continue with the proceeding.

The Center verified that the Complaint together with the 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 April 6, 2023. In accordance with the Rules, paragraph 5,

the due date for Response was April 26, 2023. The Center received several email communications from the Respondent on April 6 and April 10. However, the Respondent did not submit any formal response. Accordingly, the Center notified the Commencement of Panel Appointment Process on May 2, 2023.

The Center appointed Knud Wallberg as the sole panelist in this matter on May 5, 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, QatarEnergy, is a Qatari state-owned corporation founded in 1974, which operates all oil and gas activities in the State of Qatar. The Complainant was founded under the name Qatar General Petroleum Corporation. It later changed its name to Qatar Petroleum, and it changed its name to "QatarEnergy" in October 2021 - a rebranding that was widely reported by the press.

The Complainant owns trade mark registrations containing the term QATARENERGY or QATAR ENERGY in stylized forms throughout the world including United Kingdom trade mark registration No. UK00003708704, QATARENERGY (figurative), registered on January 7, 2022, for goods and services in international classes 1, 4, 37, 39, 40, 41, 42, 43, and 45, and European Union trade mark registration No. 018573702, QATAR ENERGY (figurative), registered on April 19, 2022, for goods and services in international classes 1, 4, 37, 39, 40, 41, 42, 43, and 45.

The Complainant is also the owner of domain names consisting of the mark QATARENERGY, such as <qatarenergy.qa> and <qatarenergy.com.qa>.

The disputed domain name was registered on December 5, 2022. At the time of filing of the Complaint, the disputed domain name resolved to a parking page displaying pay-per-click ("PPC") links to various third-parties.

5. Parties' Contentions

A. Complainant

The Complainant asserts, that the disputed domain name is identical to the Complainant's QATARENERGY mark since it incorporates the QATARENERGY trade mark in its entirety without any modification.

The Complainant further asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent does not use the disputed domain name in connection with a *bona fide* offering of goods or services, nor is it making any legitimate noncommercial or fair use of the disputed domain name. Furthermore, there is no evidence to suggest that the Respondent is commonly known by the disputed domain name.

Finally, the Complainant asserts that since the Complainant's rebranding to QATARENERGY in October 2021 was widely reported by the international press, the Respondent cannot credibly argue that it did not have prior knowledge of the Complainant's trade mark at the time of registration of the disputed domain name. By using the disputed domain name for a website containing PPC links, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to his or her website, by creating a likelihood of confusion with the Complainant's QATARENERGY trade mark as to the source, sponsorship, affiliation, or endorsement of the links displayed on the website to which the disputed domain name resolves, which constitutes bad faith use under the UDRP. The Complainant also asserts that the fact that the Respondent is or used to be associated with several other trade mark abusive domain names further evidences the Respondent's bad faith in registering the disputed domain name.

B. Respondent

As mentioned above in section 3, the Respondent did not file a formal response, but the Respondent did submit a number of emails to the Center, in which the Respondent mainly stated that he or she was willing to transfer the disputed domain name to the Complainant.

6. Discussion and Findings

In accordance with paragraph 4(a) of the UDRP, the Complainant must prove that:

- (i) The disputed domain name is 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 disputed domain name; and
- (iii) The disputed domain name has been registered and is being used in bad faith.

The Respondent has confirmed in a number of email communications to the Center that he or she consents to transfer the disputed domain name to the Complainant and the Panel finds that this forms sufficient basis for an immediate order to transfer the disputed domain name to the Complainant. See section 4.10 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), and *Leica Microsystems IR GmbH v. Tong Chuang*, WIPO Case No. [D2016-2316](#), and *Wikimedia Foundation v. Domains By Proxy, LLC*, WIPO Case No. [D2018-1460](#).

In addition, the Panel notes that there is no doubt that the Complainant owns valid and existing trademark rights in the QATARENERGY or QATAR ENERGY mark, that the disputed domain name is identical to the QATARENERGY or QATAR ENERGY mark, that the Respondent has no rights or legitimate interests in the disputed domain name by virtue of the bad faith use to which it has been put for a website displaying PPC links related to third parties, and that the disputed domain name, being identical to the Complainant's mark, was clearly registered and used in bad faith. The Panel further observes that the evidence provided by the Complainant shows that the Respondent also registered some other domain names incorporating the trademarks of third parties.

Accordingly, on the basis of the above, the Panel will order such a transfer to the Complainant.

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 <qatarenergy.tv> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: May 20, 2023