

ADMINISTRATIVE PANEL DECISION

Forbes LLC v. Forbes Malta, Forbes Malta
Case No. DPH2024-0008

1. The Parties

The Complainant is Forbes LLC, United States of America, (“United States”) represented by Riker Danzig LLP, United States.

The Respondent is Forbes Malta, India.

2. The Domain Name and Registrar

The disputed domain name <forbes.com.ph> is registered with DotPH (the “DotPH Registry”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 23, 2024. On December 24, 2024, the Center transmitted by email to DotPH Registry a request for registrar verification in connection with the disputed domain name. On December 26, 2024, the DotPH Registry transmitted by email to the Center its verification response and on December 27, 2025, 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 (Unknown / Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 3, 2025, 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 January 6, 2025. The hardcopies of the Complaint were received on December 30, 2025, by the Center.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the .PH Uniform Domain Name Dispute Resolution Policy (“phDRP” or the “Policy”), the Rules for .PH Uniform Dispute Resolution Implementation Rules (the “Rules”), and the WIPO Supplemental Rules (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 8, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was January 28, 2025. Accordingly, the Center notified the Respondent’s default on January 30, 2024.

The Center appointed Felipe Claro as the sole panelist in this matter on February 10, 2025. 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 limited liability company organized under the laws of the State of Delaware, United States. The Complainant participates in a broad range of businesses in the publishing, investment, financial and business fields, among others.

Since 1917, the Complainant has published “Forbes” magazine, a bi-monthly business magazine that has an extensive United States and worldwide circulation. The Complainant also publishes a number of other print magazines containing the “Forbes” name, including “Forbes Mexico” and other titles.

In 1997, the Complainant expanded into electronic commerce and information delivery services by introducing the Internet website “www.forbes.com”, which provides online publications, webcasts, market updates, newsletters, virtual events, an e-commerce platform, video and information about a wide variety of subject matters, including breaking news, ecommerce, business, finance, investing, economics, politics, entertainment, and travel and leisure, among others. Through its website, the Complainant also makes available to the public online versions of its famous print publications such as “Forbes”, “Forbeslife”, and “Forbes Mexico”.

The Complainant contends that over the past 100+ years, the Complainant has expended time, effort, and money to advertise and promote its various services and publications under the FORBES name and marks and have built up its name and reputation to world-wide renown in connection with their publishing and information services operations. The Complainant owns many trademark registrations around the world. Some of them are the following:

1. FORBES, United States Reg. No. 1141299, registered November 11, 1980, class 16 (First use: September 15, 1917);
2. FORBES, United States Reg. No. 1919483, registered September 19, 1995, class 35; and,
3. FORBES, United States Reg. No. 3776895, registered April 20, 2010, class 41.

The disputed domain name was registered on May 19, 2023, and resolves to a website purportedly offering news articles under the FORBES mark.

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 disputed domain name.

In particular, the Respondent is attempting to aggregate online traffic with the disputed domain name for its own benefit by causing confusion with the Complainant’s trademark. The disputed domain name is used to capitalize on notorious brand recognition and demonstrates the Respondent’s intention to target the Complainant’s customers.

B. Respondent

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

6. Discussion and Findings

In view of the lack of a response filed by the Respondent as required under paragraph 5 of the Rules, this proceeding has proceeded by way of default. Hence, under paragraphs 5(e), 14(a) and 15(a) of the Rules, the Panel is directed to decide this administrative proceeding based on the Complainant's undisputed representations. In that regard the Panel makes the following specific findings.

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 and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.¹

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy, including trademarks in the Philippines. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

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

Although the overall burden of proof in phDRP 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 difficult 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 (although the burden of proof always remains on the complainant). 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 available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. 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 disputed domain name such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegal activity, like impersonation, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

¹Given the similarities between the Policy and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), the Panel will refer to the [WIPO Overview 3.0](#) where relevant to this proceeding.

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(a) 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.

Paragraph 4(a) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The Respondent is offering a blog and news articles relating to business, technology, entertainment, finance, politics, travel, real estate, sports, and general news; and is utilizing the Complainant's marks to receive benefits of association with the Complainant. The Respondent having registered the disputed domain name decades after the first registered FORBES famous mark, it is highly likely that the Respondent was aware of the Complainant's worldwide business fame. Moreover, the identical nature of the disputed domain name further supports a finding that the Respondent was aware of and attempted to take unfair advantage of the Complainant's FORBES mark.

Panels have held that the use of a domain name for illegal activity, like impersonation, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For all the foregoing reasons, in accordance with paragraphs 4(h) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <forbes.com.ph> be transferred to the Complainant.

/Felipe Claro/

Felipe Claro

Sole Panelist

Date: February 24, 2025