

ADMINISTRATIVE PANEL DECISION

MaxMind Inc. v. Domain Admin

Case No. D2025-0018

1. The Parties

Complainant is MaxMind Inc., United States of America (“U.S.”), represented by Frankfurt Kurnit Klein & Selz, PC, U.S.

Respondent is Domain Admin, U.S.

2. The Domain Name and Registrar

The Domain Name <geoip.com> (the “Domain Name”) is registered with Epik LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 7, 2025. On January 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 10, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name, which differed from the named Respondent (Privacy Administrator, Anonymize LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on January 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on January 17, 2025.

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 Respondent of the Complaint, and the proceedings commenced on January 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2025. The Response was filed with the Center on February 7, 2025.

The Center appointed Christopher S. Gibson as the sole panelist in this matter on February 12, 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.

Complainant filed an unsolicited Supplemental Filing on February 14, 2025. In view of this filing and pursuant to paragraphs 10 and 12 of the Rules, the Panel issued a Procedural Order No. 1 on March 7, 2025, inviting (i) Respondent to submit a responsive filing and indicate exactly when Respondent acquired the Domain Name, along with any supporting evidence by March 12, 2025, and (ii) Complainant to submit its comments by March 17, 2025, in relation to any submissions by Respondent in response to the procedural order. Respondent filed its Response to Supplemental Filing on March 12, 2025. Complainant filed its Reply to Respondent's Response on March 17, 2025. Respondent filed a further Response to Complainant's Second Supplemental Filing on March 18, 2025. In view of the circumstances of this case and pursuant to paragraphs 10 and 12 of the Rules, the Panel accepts the parties' supplemental submissions.

4. Factual Background

Founded in 2002, Complainant is a provider of Internet Protocol ("IP") intelligence and online fraud detection tools. An IP address is a numerical label assigned to a device participating on a network which acts as a unique identifier for that device on the network. Complainant's service supports maintaining a safe, secure, and trusted global approach to IP intelligence and fraud protection. One of Complainant's core offerings is its suite of GEOIP services and related data. Under the GEOIP trademark, Complainant provides IP intelligence, i.e., identification of an online user's physical location and actionable intelligence regarding a business's online users. Thousands of companies use Complainant's products to locate their Internet visitors, identify user-relevant content and ads, perform analytics, enforce digital rights, efficiently route online traffic, permit, or restrict access to their sites, and identify suspicious and bad actors for network protection. Complainant maintains a website at the domain name <maxmind.com>.

In 2011, the Cooperative Association for Internet Data Analysis released a report comparing several IP intelligence databases. Complainant's GEOIP service was rated the most accurate, geographically locating 70 percent of addresses within 10 kilometers of the accurate location. Since 2002, Complainant has continued to invest in its GEOIP brand, data, and tools, resulting in improved accuracy and coverage. Today, Complainant's services can be used for 99 percent of IP addresses, the data is updated weekly, and Complainant's GEOIP services are dependable.

Complainant's GEOIP services are not freely available to the general public. To use its services and data, customers must first create an account with Complainant and, after a free trial, pay subscription fees. Complainant's GEOIP data is properly used for an individual business's own internal purposes. Complainant's online End User License Agreement ("EULA") specifically prohibits its customers from (a) copying GEOIP data, (b) allowing persons outside the customer's business to access GEOIP, and (c) using Complainant's GEOIP data to provide their own IP intelligence services, among other prohibitions.

In addition to its GEOIP products, Complainant also offers products that are similar but less accurate, known as GeoLite2 databases. The GeoLite2 EULA specifically requires attribution for use of any GeoLite2 data. As an alternative to providing attribution, customers may pay a fee to Complainant. As described below, Complainant alleges Respondent is violating the attribution requirement, and knowingly breaching Complainant's GeoLite2 license.

Complainant first commenced use of its GEOIP trademark in 2002. Complainant owns an incontestable registration for the word mark GEOIP in the United States: GEOIP, U.S. registration no. 2,897,141, registered October 26, 2004, with a first use in commerce date of February 2, 2002, in class 42 providing databases featuring the location, Internet service provider and organization associated with specific Internet addresses. Complainant also owns registrations for the GEOIP work mark in the United Kingdom, registration no. 3433573, registered December 27, 2019; Canada, registration no. 1988309, registered September 23, 2024; and Israel, registration no. 346939, registered May 2, 2023.

The Domain Name was originally registered on April 7, 2000. Complainant asserts Respondent has not owned the Domain Name from this time but acquired it at a much later date. The Domain Name's IP address history reflects 196 changes on 196 unique IP addresses over 19 years. The Domain Name's hosting history reflects 14 changes on 11 unique name servers over 18 years. Respondent, in its

submissions, stated that it purchased the Domain Name at a public auction in June 2014 but has not provided records or the purchase or purchase price.

Complainant states the Domain Name came to Complainant's attention in 2024 because the website linked to the Domain Name was providing a free IP intelligence service. The site prominently features Complainant's nearly identical GEOIP trademark, except for the addition of the ".com" generic Top-Level Domain ("gTLD"). In addition, Complainant contends the Domain Name's website is using Complainant's proprietary GeoLite2 data, without the proper license. Respondent's site does not have legal rights, as Respondent has misidentified the data as "geoip" instead of "GeoLite2" and has not provided any attribution to Complainant or paid the appropriate licensing fees. Complainant has determined that Respondent is using its data because it has conducted 11 tests of Respondent's site lookup service. In particular, Complainant entered IP addresses that Complainant knows return specific incorrect results in GeoLite2, and Respondent's site returns the same identical incorrect results.

Before filing the Complaint, Complainant states it made several attempts to resolve this issue directly with Respondent. On three instances, Complainant contacted the email address listed on the Contact Us page of the Domain Name, asking that the holder (i) either give attribution to Complainant on the site as required by Complainant's GeoLite2 EULA or stop using Complainant's GeoLite2 data, and (ii) stop all use of Complainant's GEOIP trademark. Complainant states Respondent responded by falsely stating that Respondent is not using Complainant's data and claiming that Complainant's ownership of the GEOIP mark did not cover use of the mark on Respondent's site.

The Panel observes little is known about Respondent, even after Respondent's filing of multiple submissions. The Whois record lists Respondent as "Privacy Administrator, Anonymize LLC." The Registrar subsequently identified the registrant as an individual located in Spokane, Washington, U.S. Respondent in his Response states "Respondent is a cybersecurity professional who has invested significant resources in the development and continuous operation of a free online service" for users "interested in researching IP address information." The homepage of the website linked to the Domain Name provides in its banner:

"GEOIP.COM
Locate any IP address."

The page also states "GEOIP LOOKUP TOOL" and "Instantly locate any IP address!" There is a search field specified as "Enter an IP Address to Locate." Respondent has provided references to the Internet Archive's Wayback Machine, showing the presence of a website dating back to December 17, 2014.

5. Parties' Contentions

A. Complainant

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

(i) Identical or confusingly similar

Complainant states the registration for Complainant's GEOIP mark is valid and subsisting and constitutes *prima facie* evidence of its validity of Complainant's exclusive right to use the mark. Complainant submits it is the only entity in the world to own a trademark registration for the GEOIP name in connection with location services. Customers around the world look for the GEOIP brand when they need dependable and valid IP intelligence services. Since the adoption and first use of its mark in 2002, Complainant has devoted substantial time, money, and effort in (i) promoting its trademark to identify GEOIP as the source of its services, and (ii) consistently improving the quality and precision of its GEOIP data. Thousands of companies use Complainant's products or services. By virtue of Complainant's worldwide reach, longtime use of its trademark, and highly accurate proprietary data, Complainant claims its mark has developed substantial and valuable goodwill that belongs exclusively to Complainant.

Complainant contends the Domain Name contains Complainant's entire and identical trademark, which is the subject of trademark registrations in the United States, United Kingdom, Canada, and Israel. The Domain Name creates the same, or essentially the same, commercial impression as Complainant's mark and is identical in sight, sound, and meaning. The Domain Name merely adds the ".com" gTLD. Consumers are likely to believe that the Domain Name originates from or is affiliated with, authorized, or endorsed by Complainant. Moreover, the website at the Domain Name prominently features the nearly identical trademark and is utilizing Complainant's GeoLite2 data, for which it has not paid the appropriate licensing fees to use in this manner. Accordingly, the Domain Name is identical or confusingly similar to Complainant's trademark.

(ii) Rights or legitimate interests

Complainant claims that its rights in the GEOIP trademark were established before Respondent obtained the Domain Name. Respondent cannot claim or show any rights to the Domain Name that are superior to Complainant's rights in the GEOIP mark.

Complainant further submits Respondent is using Complainant's identical GEOIP trademark in the Domain Name. Moreover, Respondent is prominently using Complainant's nearly identical mark (in a large font size) on the top of the homepage of the site linked to the Domain Name. In addition, Complainant asserts that Respondent is using the Domain Name for an IP intelligence service, which is identical to the services for which Complainant has registered and used its GEOIP mark.

Complainant contends Respondent has not made any demonstrable preparations to use the Domain Name in connection with a bona fide offering of any goods or services. Respondent is not commonly known by the Domain Name or the GEOIP mark and has not acquired any legitimate trademark or service mark rights in the Domain Name. Complainant emphasizes Respondent could have selected any word, or combination of words, to describe its services; however, it chose to use Complainant's trademark. Respondent's use of the Domain Name for Respondent's site is based on the trademark value of Complainant's mark. Respondent is profiting from the value of Complainant's mark by using the Domain Name for its commercial gain.

(iii) Registered and used in bad faith

Complainant claims Respondent registered or acquired the Domain Name in bad faith. The Domain Name is being used for a website featuring Complainant's nearly identical registered trademark to offer services identical to Complainant's services, using Complainant's own data. The Domain Name is being used for Respondent's commercial gain, and to disrupt Complainant's business.

Further, given that Respondent's site uses data from Complainant, Complainant claims Respondent was well aware of Complainant's GEOIP trademark at the time it registered or acquired the Domain Name. Further, Respondent has had years of constructive notice of Complainant's mark. The Domain Name is clearly related to Complainant's mark, as it contains Complainant's entire mark.

Complainant contends Respondent has intentionally attempted to attract, for its commercial gain, Internet users to Respondent's site by creating a likelihood of confusion with Complainant's mark. The bad faith of Respondent is evidenced by its (i) use of Complainant's identical trademark in the Domain Name, (ii) prominent use of the mark on the top front portion of Respondent's website homepage, (iii) use of the Domain Name for an IP intelligence service, which is identical to the services for which Complainant has registered and uses the mark, and (iv) use of Complainant's proprietary GeoLite2 data without attribution and without the appropriate license.

Alternatively, Complainant claims Respondent acquired the Domain Name solely for the purpose of reselling it to Complainant, or to prevent Complainant from reflecting its mark in a corresponding domain name, or primarily for the purpose of disrupting Complainant's business. Respondent is clearly seeking to profit from the unauthorized association with Complainant's mark. In light of the confusing similarity between the Domain Name and Complainant's mark, Internet users who encounter the Domain Name will be confused as to the source, sponsorship, affiliation, or endorsement of the Domain Name. As such, there can be little doubt that Respondent has used and acquired the Domain Name in bad faith.

B. Respondent

(i) Identical or confusingly similar

Respondent states Complainant has provided evidence that its GEOIP trademark was filed two years after the creation of the Domain Name. Respondent contends Complainant chose its mark with the knowledge that the matching ".com" domain name was unavailable and is now attempting to use the UDRP as a cheap acquisition tool to obtain it. Respondent asserts it is well established that a party that chooses to register a common term as a trademark may not use the Policy to bar others from using the same term in a domain name.

Respondent states the term "geoip" is a descriptive combination of the word "geo" and "ip" ("IP" is short for Internet Protocol) and is widely used around the world. Respondent asserts it is well-known as a technique to find the geographic location of a computer by using its IP address. Respondent claims that typing the term into a Google image search returns a plethora of diverse users unassociated with Complainant. Furthermore, Respondent states "geoip" is displayed in 200 plus registered domain names including over 50 exact matches. Another example of the worldwide use of the term is evidenced by the company GEOIP, which has a class 42 trademark registered in Portugal. Respondent contends the issuance of a separate trademark shows the term is not distinct. Complainant cannot claim exclusive rights to use a generic term when other businesses are already using it.

Respondent urges that the narrow scope of Complainant's trademark does not encompass the many active uses of this descriptive term nor grant dominion over it. Complainant's class 42 mark is for "[p]roviding databases featuring the location, Internet service provider and organization associated with specific Internet addresses." Respondent is not in the database business. Rather, it operates a free online service visitors can use to geolocate IP addresses. Respondent claims its site is intended for the amusement or educational use of its visitors and does not infringe on Complainant's mark. Respondent submits the design and content are different and in no way does it appear affiliated with Complainant's site at "www.maxmind.com."

(ii) Rights or legitimate interests

Respondent argues a *prima facie* case is not made and Complainant fails to establish its burden of proof, instead implying it is up to Respondent to prove its rights. Respondent asserts Complainant makes a series of false and evidence-lacking assertions, such as "Respondent has not made any demonstrable preparations to use the Disputed Domain in connection with a bona fide offering of any good or service." Respondent urges this is disproven by Complainant's own evidence showing an active website operating at the Domain Name.

Respondent states the exact keyword in the ".com" gTLD has proven to have marketing and search engine optimization ("SEO") advantages, which is why Respondent chose the Domain Name. Respondent competes in search engines with independent websites that also brand on the descriptive term "geoip". The high quality of the Domain Name has helped Respondent maintain consistently high rankings and trust of its global user base. Respondent also uses the Domain Name's email addresses to communicate with its audience to collect feedback about incorrect IP geolocation data and share with the service provider. This is another example of a bona fide offering of goods or services that is well-established under the Policy.

(iii) Registered and used in bad faith

Respondent states Complainant falsely asserts and provides no evidence that Respondent is using Complainant's data, and Complainant has been informed of this through email exchanges. When challenged to provide evidence, Complainant could not, yet has continued to harass Respondent. Respondent has suggested to Complainant to simply block the static <geoip.com> server IP address from Complainant's API to disprove the hunch that their code is being used. Complainant neglects to mention this in its Complaint or explain why such a simple measure has not been taken. Complainant also falsely claims Respondent acquired the Domain Name "solely for the purpose of reselling it to [Complainant]." This is false. Respondent states it was unaware of Complainant prior to registering the Domain Name and has never attempted to sell it to Complainant despite Complainant's inquiries.

Respondent contends Complainant has failed to establish that the descriptive term “geoip” is uniquely associated with Complainant and its product. Complainant has not shown that it has any reputation outside the specialized field in which it operates and fails to acknowledge the disparate global use of the term in commerce and culture. There is no evidence that the wider public in general, or Respondent in particular, must have known of Complainant at the time when the Domain Name was registered. Furthermore, there is no evidence that Respondent has used the Domain Name in bad faith, as it has not sought to target Complainant. Respondent argues it is Complainant who has brought the Complaint in bad faith. Complainant was aware of the long running website operating on the Domain Name, which is proof of a bona fide offering. Complainant was also informed through email exchanges of the broad and diverse use of the description term “geoip.”

(iv) Reverse domain name hijacking (“RDNH”)

Respondent contends that Complainant has filed a weak Complaint lacking in evidence and full of falsehoods and attempts to mislead the Panel. It was filed in bad faith with the intent of harassing Respondent. This is a classic case of a large corporation attempting to use the UDRP to usurp a high value domain name from a small business owner. Complainant is represented by counsel, who clearly ought to have known it could not succeed under any fair interpretation of facts. Counsel should have also been fully aware that making false claims is an abuse of the Policy. The Panel is requested to make a finding of RDNH.

C. Complainant’s Supplemental Filings

Complainant in its supplemental filings has submitted that:

- Complainant has provided evidence that Respondent is using Complainant’s data in the geolocation services Respondent provides through its website. Complainant has confirmed with evidence that Respondent is using Complainant’s proprietary data, by including intentionally incorrectly geolocated IP addresses (i.e., data) in its GeoLite database so that Complainant can see who is violating its license. Complainant provided evidence that these incorrect results are matched in the search results using Respondent’s website – i.e., Respondent’s website displays that same incorrect geolocation data when those IP addresses are entered.
- Relatedly, Complainant states it cannot “block” Respondent from accessing Complainant’s data, as Respondent suggests. Complainant cannot merely “block” Respondent as Complainant’s GEOIP data is downloadable. Respondent has presumably downloaded Complainant’s property data and is using it on an ongoing basis, so blocking Respondent’s API from accessing Complainant’s website would not solve the problem. Moreover, Complainant claims Respondent obfuscates the issue by stating that Respondent “sources its GeolP data entirely through API calls from a different provider.” Complainant emphasizes that regardless of whether Respondent is downloading Complainant’s databases directly or is using an unspecified third party to download Complainant’s data (as Respondent suggests), this is irrelevant to the point that Respondent is improperly using Complainant’s data and Complainant cannot block Respondent because Complainant’s databases are downloadable.
- Complainant emphasizes that Respondent admits in its March 11, 2025, supplemental filing that Respondent obtained the Domain Name in June 2014, over a decade after Complainant commenced use of and registered its GEOIP trademark.
- Complainant maintains that the annexes to Respondent’s filings are misleading. For example, a Google search for “geoip” returns a first page of results that are all either (1) Complainant’s website, (2) webpages discussing Complainant’s GEOIP service, (3) Complainant’s competitors that are not using the term GEOIP but show up in the search, and (4) the Domain Name. However, Respondent obtained different results only by search on Google for “what is geoip” rather than simply conducting a search using the GEOIP trademark. Moreover, the displayed Google search images are mostly results for Complainant’s GEOIP services or are results where third parties are talking about Complainant or its GEOIP products. There are many third-party APIs that use the term GEOIP as they are designed to be used with Complainant’s GEOIP databases. Those may look like third-party uses, but they are not. Further, as to most of Respondent’s example websites, Complainant was able to confirm that they are (i) Complainant’s licensees that are validly using

Complainant's GEOIP data and trademark, (ii) do not use GEOIP other than as part of the domain name, or (iii) are not using Complainant's GEOIP data.

- Finally, Complainant submits Respondent's reference to a Portuguese trademark is irrelevant as it is registered in a different country and for different and unrelated products or services, whereas Respondent is located in the U.S. where Complainant has a registered and incontestable trademark registration and where Complainant has used its mark since at least 2002.

D. Respondent's Supplemental Filings

Respondent in its supplemental filings has submitted that:

- Complainant's allegation that Respondent is using Complainant's data is false. Respondent states its website does not use Complainant's data. In its second supplemental filing, Respondent argues that there are distinct variances shown in the results of Complainant's designated comparison site, which Respondent claims is proof of a different data source being used for host IP lookups. Respondent claims Complainant chose to ignore those results.

- As to Complainant's argument that Complainant cannot block Respondent access, Respondent does not dispute this point. However, Respondent claims he does not use Complainant's product and therefore there is nothing to block, as Respondent sources its data entirely through API calls to a different third-party provider.

- Respondent confirms he makes no claim to having rights in the Domain Name prior to Complainant's registration of its trademark. Respondent states the Domain Name was purchased in a public auction in June 2014, with the development of a website thereafter and continuous use since that time. Respondent argues Complainant could have participated. Respondent states Respondent was unaware of Complainant's mark at the time and purchased the Domain Name for its descriptive nature, providing inherent trust and proven search engine optimization SEO advantages.

- Respondent claims the Portuguese trademark registered with the same name for a different service is evidence that the term "geoip" is descriptive and not distinctive and can be used for multiple purposes. Respondent states it is not attempting to invalidate Complainant's trademark, but instead point out its narrow scope, non-distinctiveness, and highlight the difference between their database product and Respondent's online web service. Respondent claims Complainant's mark is registered for providing offline databases whereas Respondent operates an online web service, a completely different and non-infringing operating model.

Respondent rejects Complainant efforts to refute the evidence presented in the annexes supporting Respondent's submissions. Respondent invites the Panel to search "What is GeoIP?" and analyze the results. Respondent argues Complainant seems to ask Panel not to believe the documented evidence but rather accept Complainant's word without providing any evidence.

Respondent argues the UDRP was designed to resolve clearcut cases of cybersquatting which this is not. Given the facts that multiple trademarks have been registered, the descriptive nature of the term, the ten plus years of bona fide use, and Complainant's false claim of targeting, the Panel is urged to deny the claim and enter a finding of RDNH.

6. Discussion and Findings

In order to succeed on its Complaint, Complainant must demonstrate that the three elements set forth in paragraph 4(a) of the Policy have been satisfied. Those elements are as follows:

(i) the Domain Name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights;

(ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and

(iii) Respondent has registered and is using the Domain Name 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 Complainant's GEOIP trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Panel finds that Complainant has demonstrated rights in its GEOIP trademark for the purposes of the Policy, as evidenced by the mark's registration on the principal register of the United States Patent and Trademark Office ("USPTO") since 2004, along with trademark registrations in several other countries and the longstanding use of the mark in commerce. [WIPO Overview 3.0](#), section 1.2.1. Complainant has provided evidence that thousands of companies use Complainant's products to locate their Internet visitors, identify user-relevant content and ads, perform analytics, enforce digital rights, efficiently route online traffic, permit, or restrict access to their sites, and identify suspicious and bad actors for network protection. Complainant's website confirms it was founded in 2002 and that over 100,000 businesses worldwide rely on Complainant's GEOIP data. The Panel finds this is evidence of Complainant's strong reputation within its specialized field, which is to offer a suite of IP intelligence services and related data so that users can locate their Internet visitors, identify user-relevant content and ads, perform analytics, enforce digital rights, efficiently route online traffic, permit, or restrict access to their sites, and identify suspicious and bad actors for network protection and fraud prevention.

Respondent argued in its Response, among other things, that "Complainant has not shown that it has any reputation outside the specialized field in which it operates." Even assuming this is true, Respondent has not contested that Complainant has a solid reputation within the "specialized field in which it operates." Respondent claims there are differences between Complainant's database product and Respondent's online web service. While there may be differences in the positioning of Complainant's and Respondent's operations within the IP intelligence sector, the Panel finds that based on the evidence in the record, Respondent operates within this same specialized sector where Complainant has made its reputation and where its trademarks have effect.

Respondent in its Response initially asserted that Complainant had registered its GEOIP trademark two years after the creation of the Domain Name, and argues Complainant thus chose a trademark with knowledge that the Domain Name was unavailable. Respondent clarified in a supplemental filing that Respondent actually acquired the Domain Name, not in 2002 when it was first registered, but in June 2014 at an auction, which is approximately 10 years after Complainant's trademark rights were established and Complainant's mark had been widely and continuously used. Respondent also argued that "geoip" is a descriptive term used to describe a technique where a device's IP address is used to determine its geographic location. Respondent states it is not attempting to invalidate Complainant's trademark but instead urges the narrow scope and non-distinctiveness of the mark.

The Panel concludes that none of Respondent's arguments negate a finding that Complainant has demonstrated rights in its registered GEOIP trademarks for the purposes of the Policy. There is no evidence in the record that any country, on grounds of descriptiveness or otherwise, has refused registration or required Complainant to disclaim the name and characters "geoip" as all or part of any of Complainant's trademarks. Instead, Complainant trademarks are word marks and are not limited to a logo or design feature. By comparison, the Portuguese trademark registered in 2023, which Respondent has submitted in evidence, is a figurative mark, which provides protection only for visual elements (such as logos or designs presented in an artistic way), and which can include stylized text but does not protect the standard text alone. Moreover, that Portuguese trademark registration relates to consulting services for technology, telecommunications, and computer software, along with software programming, which is a different line of business from Complainant's field. Thus, the third-party mark referenced by Respondent appears to cover goods or services unrelated Complainant's line of business and does not undermine Complainant's rights and exclusivity in its GEOIP mark. A Google search for "geoip" (as compared to a search for "what is geoip")

returns Complainant's website as the top result, with other references to Complainant. Finally, Complainant has provided evidence in its supplemental filing that most of the references Respondent listed in its annexes were references to Complainant; to its licensees; to webpages discussing Complainant's GEOIP service; to third parties using APIs that use the term GEOIP as they are designed to be used with Complainant's GEOIP databases; are located in a foreign country and do not use GEOIP other than as part of the domain name; or are not using Complainant's GEOIP data.

The Panel observes that the entirety of the GEOIP mark is identically reproduced within the second level of the Domain Name, with no variation (and understanding the gTLD "is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.").

[WIPO Overview 3.0](#), section 1.11.1. Accordingly, the Panel finds that the Domain Name is identical to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy. Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests and Registered and Used in Bad Faith

The Panel determines that this is a case in which it is appropriate to consider the second and third elements of the Policy together. See [WIPO Overview 3.0](#), section 2.15. In particular, the crux of this case turns on the parties' disagreement about whether Respondent has been using the Domain Name in connection with a bona fide offering of goods or services. Indeed, paragraph 4(c) of the Policy provides that the following circumstance is one which, if found by the Panel, will demonstrate rights or legitimate interests to a domain name for purposes of the Policy: "before any notice of the dispute, the respondent has used, or made demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services." However, in this case as in other UDRP cases, for Respondent to be using the Domain Name in connection with a bona fide offering of goods or services, there must be no bad faith on the part of Respondent in connection with the registration of the Domain Name, and no bad faith use of it as Respondent offers its services.

There is no dispute that Complainant has not authorized Respondent to use Complainant's GEOIP trademark for the Domain Name or for any other purpose. Respondent has not entered into a license agreement with Complainant, as have many other third parties using Complainant's services and related data. Moreover, Respondent is not commonly known by the Domain Name; instead, Respondent is only known as "Domain Admin" and is a cybersecurity professional located in the U.S. Further, Respondent makes no contention that Respondent is making a legitimate noncommercial or fair use of the Domain Name. The homepage for Respondent's website, for which Complainant submitted a screen shot in evidence, displayed ads which give rise to some advertising revenue. In addition, Complainant asserts that Respondent is using the Domain Name for an IP intelligence service, which as noted above is in the same sector where Complainant uses its GEOIP mark and provides its services. Complainant emphasizes Respondent could have selected any word, or combination of words, to describe its services; however, it chose to use Complainant's trademark. Complainant contends Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's site by creating a likelihood of confusion with Complainant's mark. The bad faith of Respondent is evidenced by use of Complainant's identical trademark in the Domain Name; prominent use of the GEOIP mark on the top front portion of Respondent's homepage; use of the Domain Name for an IP intelligence service, which is the same services for which Complainant has registered and uses its mark; and use of Complainant's proprietary GeoLite2 data without attribution and without an appropriate license.

Respondent, by contrast, claimed it has used the Domain Name in connection with a bona fide offering of goods or services for 10 years and chose it because it is a descriptive term that carries marketing and SEO advantages. Respondent points to Complainant's own evidence showing an active website operating at the Domain Name. Respondent states it operates a free online service that visitors can use to geolocate IP addresses, and the site is intended for the amusement or educational use of visitors and does not infringe Complainant's mark.

To assess the issue of whether Respondent has used the Domain Name in connection with a bona fide offering of goods or services, two points can be considered: (i) whether or not Respondent, claiming to be unaware of Complainant and its GEOIP mark when acquiring the Domain Name in June 2014, actually knew

or should have known of Complainant and its trademark, and (ii) “[a]part from the circumstances surrounding ... registration, to support a claim to rights or legitimate interests under the UDRP, the use of a disputed domain name must in any event not be abusive of third-party trademark rights.” [WIPO Overview 3.0](#), section 2.15. [WIPO Overview 3.0](#), section 3.1, states “bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant’s mark.”

After a careful consideration of the totality of circumstances in this case, the Panel is of the view that Respondent is making a less than a fair or bona fide use of the Domain Name under the Policy. As initial relevant considerations, the Panel observes that both Complainant and Respondent are located in the U.S. and as discussed above, operate in the same specialized sector providing IP intelligence services. Indeed, Respondent has also indicated that Respondent is “a cybersecurity professional,” which implies Respondent should have knowledge of this sector and have conducted a modicum of due diligence when setting up the website. It is also noteworthy that this is a case where the Domain Name is identical to Complainant’s GEOIP trademark, with no variation, raising concerns about impersonation. Moreover, as noted above, Complainant’s trademark is a word mark, not merely a figurative mark, and had been in existence in the U.S. and used continuously and widely by Complainant for approximately 10 years prior to Respondent acquiring the Domain Name at auction.

Section 2.5 of [WIPO Overview 3.0](#) states that “[f]undamentally, a respondent’s use of a domain name will not be considered ‘fair’ if it falsely suggests affiliation with the trademark owner; the correlation between a domain name and the complainant’s mark is often central to this inquiry.” Moreover, section 2.5.1 provides as follows: “Generally speaking, UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation.” In these circumstances, the claim by Respondent that Respondent was unaware of Complainant and its GEOIP mark, even if believed by the Panel (and as to which the Panel has a degree of skepticism), does not excuse Respondent. Whether or not Respondent was actually aware of Complainant, [WIPO Overview 3.0](#), section 3.2.2, provides relevant guidance that “[i]n limited circumstances – notably where the parties are both located in the United States and the complainant has obtained a federal trademark registration pre-dating the relevant domain name registration – panels have been prepared to apply the concept of constructive notice.” In this case, Complainant has asserted that Respondent had years of constructive notice of Complainant’s mark, and the evidence supports this point. The Panel finds there is sufficient evidence that Complainant and its GEOIP mark had acquired substantial goodwill within its specialized field by the time Respondent acquired the Domain Name in June 2014, which was intended to be used within the same field. Moreover, the Policy, paragraph 2(b), which sets forth the representations of a domain name registrant, provides in relevant part that “to your knowledge, the registration of the domain name will not infringe upon or otherwise violate the rights of any third party” and “[i]t is your responsibility to determine whether your domain name registration infringes or violates someone else’s rights”. The directives of paragraph 2(b) of the Policy are particularly apposite here, where Respondent has acknowledged that Respondent is a cybersecurity professional and used the Domain Name to provide services in the same specialized field where Complainant operates.

In this regard, this case also raises the question of willful blindness on the part of Respondent when acquiring the Domain Name. [WIPO Overview 3.0](#), section 3.2.3, provides in relevant part that: “[n]oticing registrant obligations under UDRP paragraph 2, panels have however found that respondents who (deliberately) fail to search and/or screen registrations against available online databases would be responsible for any resulting abusive registrations under the concept of willful blindness; depending on the facts and circumstances of a case, this concept has been applied irrespective of whether the registrant is a professional domainer.”

Here, it bears repeating again that both Complainant and Respondent are both located in the U.S. and in the same specialized sector. A simple USPTO search would have disclosed Complainant’s GEOIP trademark dating from 2004. Further, a browser search would have disclosed Complainant’s website, which has featured its GEOIP mark on the homepage. The Internet Archive’s Wayback Machine, of which the Panel takes public notice, demonstrates that Complainant’s commercial website was operating from at least as early as 2004, with the “GEOIP®” on the homepage of its site from at least January 2006. Any modicum of due diligence by Respondent could have identified these elements. The Panel therefore determines that Respondent knew or should have known of Complainant’s GEOIP marks, or alternatively, exercised willful blindness, when registering the Domain Name, which is identical to Complainant’s GEOIP trademark.

Second, regarding use of the Domain Name, the Panel finds that Respondent offering services in the same specialized field as Complainant using a Domain Name that is identical to Complainant's trademark is not a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy. See e.g., *Pfizer Inc v. The Magic Islands*, WIPO Case No. [D2003-0870](#); *Philip Morris USA Inc. v. n/a*, WIPO Case No. [D2004-0462](#); *Nikon, Inc. and Nikon Corporation v. Technilab, Inc.*, WIPO Case No. [D2000-1774](#). Here, Complainant did not provide Respondent authorization or any other form of permission to use any mark or domain name identical or similar to its GEOIP mark. Instead, when Complainant became aware of Respondent in 2024, Complainant requested that Respondent cease using the mark. As the record in this case demonstrates, Respondent is offering services that broadly compete with Complainant's database services, which are normally licensed to companies in Respondent's position. Finally, Complainant also requested that Respondent stop using its GeoLite data, while Respondent refused and denied using this data. On this point, the Panel finds based on the evidence in the record – where Complainant included intentionally incorrect geolocated IP addresses in its GeoLite database and these incorrect results were matched in the search results using Respondent's website – that it is more likely than not that Respondent is using Complainant's data, although possibly obtaining it through a third-party provider. In response to Complainant's requests, Respondent could have ceased using the Domain Name and ceased using this data (or alternatively obtained a license from Complainant), but Respondent has chosen not to do so, hence another dimension of the bad faith use.

In conclusion, the Panel determines that, for all of the above reasons, the Domain Name was registered and is being used in bad faith. Accordingly, Complainant has satisfied the third element of the Policy.

C. Reverse Domain Name Hijacking

Respondent has requested that the Panel make a finding of RDNH in this proceeding. In this case, where the Panel has concluded that Complainant established the three elements of the Policy, the request for a finding of RDNH is denied.

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 Name <geoip.com> be transferred to Complainant.

/Christopher S. Gibson/
Christopher S. Gibson
Sole Panelist
Date: April 6, 2025