

ADMINISTRATIVE PANEL DECISION

DP World FZE v. sharad kumar

Case No. D2025-0578

1. The Parties

The Complainant is DP World FZE, United Arab Emirates, represented by RNA, Technology and IP Attorneys, India.

The Respondent is sharad kumar, India.

2. The Domain Name and Registrar

The disputed domain name <dpworldmovers.com> 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 February 13, 2025. On February 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 14, 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 (DP World Movers) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 18, 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 amended Complaint on February 25, 2025.

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 February 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 23, 2025.

The Center appointed Steven A. Maier as the sole panelist in this matter on March 26, 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 provider of logistics solutions, port terminal operations, maritime services, port development and technology driven solutions, under the name and trademark DP WORLD.

The Complainant is the owner of numerous registrations for the trademark DP WORLD in various jurisdictions throughout the world. Those registrations include, for example:

- Canada trademark registration number TMA725351 for the word mark DP WORLD, registered on October 6, 2008, in International Class 39;
- European Union trademark registration number 009712415 for the word mark DP WORLD, registered on December 22, 2013 in International Classes 16, 25, 37, and 39; and
- India trademark number 2539379 for the word mark DP WORLD, registered on May 28, 2013 in International Classes 35 and 39.

The Complainant operates a website at “www.dpworld.com”.

The disputed domain name was registered on February 13, 2024.

The Complainant exhibits evidence that the disputed domain name has resolved to a website headed “DP World Movers”. The website includes an enquiry form headed “Get A Quote” together with a brief business description.

5. Parties’ Contentions

A. Complainant

The Complainant submits that it was formed in 2005 and is a global leader in its sector, including 78 marine and inland terminals, supported by 50 related businesses in 40 countries worldwide. It states that its business is well known in India (where the Respondent is located), handling approximately 30% of India’s annual container volumes. It adds that its India website has over 80,000 users. The Complainant claims overall annual revenue of over USD 18 billion in 2023, and provides evidence of significant sponsorships and partnerships, awards and accolades, as well as a substantial social media presence.

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant contends that the disputed domain name is confusingly similar to its trademark DP WORLD. It submits that the disputed domain name wholly incorporates that trademark, together with the additional term “movers”, which does not diminish the likelihood of confusion with the trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never licensed or permitted the Respondent to use its DP WORLD trademark, and that the Respondent has not been known by any name corresponding to the disputed domain name. The Complainant asserts that, owing to the well-known nature of its trademark and the Respondent’s apparent use of the disputed domain name in connection with services similar to its own, it is

obvious that the Respondent registered the disputed domain name for the purpose of confusing Internet users and taking unfair commercial advantage of the Complainant's trademark rights.

For similar reasons, the Complainant contends that the disputed domain name has been registered and is being used in bad faith. It submits that there is no credible reason for the Respondent to have chosen the disputed domain name, other than to confuse Internet users who might be looking for the Complainant and its services, and that the Respondent registered and has used the disputed domain name solely to divert Internet traffic intended for the Complainant.

The Complainant provides evidence that, on May 20, 2024, it sent the Respondent a cease and desist letter relating to another domain name, <dpworldwidemovers.com>. The Complainant states that, as a result of that letter, the Respondent ceased using that domain name, which was subsequently cancelled.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights in respect of the mark DP WORLD. The disputed domain name wholly incorporates that trademark, followed by the term "movers", which does not prevent the Complainant's trademark from being recognizable within the disputed domain name.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant's submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise.

Nor does the Panel consider the Respondent's website to be indicative of a bona fide business venture unrelated to the Complainant's trademark. The contents of the website are both sparse and generic in nature, and do not convey the impression of a genuine trading entity.

Taking account of the prominent nature of the Complainant's trademark, the Respondent's use of the disputed domain name purportedly for services similar to those of the Complainant, the nature of the Respondent's website, and the Respondent's failure to respond to the proceeding, the Panel infers on balance that the Respondent registered the disputed domain name for the purpose of taking unfair advantage of the Complainant's trademark rights, as opposed to for the purpose of any legitimate commercial venture independent of the goodwill attaching to that trademark.

The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

For similar reasons as set out under the second element above, the Panel finds, on the balance of probabilities, that the Respondent was aware of the Complainant's trademark when it registered the disputed domain name and did so in order to take advantage of that trademark by confusing Internet users into visiting its own website.

The Panel finds in particular that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel also notes the Respondent's registration of another domain name, <dpworldwidemovers.com>, which it appears to have ceased to use following the Complainant's objection. This matter adds to the overall impression of bad faith in the Panel's view.

The Panel therefore finds that the disputed domain name has been registered and is being used in bad faith.

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 <dpworldmovers.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: April 9, 2025