

## **ADMINISTRATIVE PANEL DECISION**

G4S Limited v. Milen Radumilo  
Case No. D2022-3910

### **1. The Parties**

The Complainant is G4S Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is Milen Radumilo, Romania.

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

The disputed domain name <g4ssolutions.com> (the “Disputed Domain Name”) is registered with Masterofmydomains.net LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 18, 2022. On October 21, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 21, 2022, 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 (“Statutory Masking Enabled”) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 2, 2022, 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 November 3, 2022.

The Center verified that the Complaint together with 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 November 4, 2022. In accordance with the Rules, paragraph 5, the due date for Response was November 24, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 25, 2022.

The Center appointed Isabelle Leroux as the sole panelist in this matter on December 5, 2022. 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 London-based global security company that provides security and facility services in around 80 countries across the world. It has been operating under its current name G4S (or Group 4 Securicor) since 2004 and presently has a network of more than 800,000 employees globally.

For the needs and purposes of its activities, the Complainant is the owner of numerous trademarks, including the following:

- International wordmark G4S, No. 885912, registered on October 11, 2005, for goods and services in Classes 1, 5, 6, 9, 16, 35, 36, 37, 38, 39, 41, 42, 44, and 45, duly renewed;
- United States wordmark G4S, No. 3,378,800, registered on February 5, 2008, for goods and services in Classes 9, 39, and 45, duly renewed; and
- European Union wordmark G4S, No. 015263064, registered on September 20, 2016, for goods and services in Classes 6, 36, and 37.

Hereafter the "Trademarks" or "Trademark".

The Complainant also owns several domain names containing the sign G4S including the following: <g4s.com> registered on December 1, 1999, which resolves to the Complainant's main website.

The Disputed Domain Name <g4ssolutions.com> was registered on December 13, 2018, and resolves to a parked webpage hosting pay-per-click ("PPC") sponsored links.

#### 5. Parties' Contentions

##### A. Complainant

The Complainant claims that:

- a) The Disputed Domain Name is identical or at least confusingly similar to the Complainant's Trademarks since it incorporates the Complainant's Trademark in full.
- b) The Respondent has no rights nor legitimate interests in the Disputed Domain Name since:
  - The Respondent does not own any G4S trademark;
  - The Complainant has never granted any license or authorization to use its Trademark to the Respondent;
  - There is no evidence that the Respondent has a history of using, or preparing to use, the Disputed Domain Name in connection with a *bona fide* offering of goods and services;
  - The Respondent is not commonly known by the Disputed Domain Name.
- c) The Respondent registered and used the Disputed Domain Name in bad faith given the following factors:
  - The Complainant's Trademarks were registered long before the Disputed Domain Name;
  - The Respondent did not answer to the cease-and-desist letter sent by the Complainant;
  - The Disputed Domain Name was used in multiple ways, including, on different occasions: (i) to advertise PPC categories and links (some of which compete with the Complainant's offerings); and (ii) to redirect Internet users to a malicious virus pop-up scam site.

Finally, the Complainant requests that the Disputed Domain Name be transferred to the Complainant.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

First of all, the Panel finds that the Complainant has provided evidence that it has prior rights in the G4S Trademarks since they have been filed and registered several years before the Disputed Domain Name.

Then, the Panel notices that the Disputed Domain Name is composed of the identical reproduction of the G4S Trademark in its entirety, to which has been added the term "solution", and the generic Top-Level Domain ("gTLD") ".com".

The addition of the term "solution" since it's a common word does not prevent a finding of confusing similarity since the G4S Trademark is fully recognizable in the Disputed Domain Name.

Furthermore, the gTLD ".com" is viewed as a standard registration requirement and as such is disregarded for the purpose of determining whether a domain name is identical or confusingly similar to a trademark.

Consequently, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's Trademark. The first element of paragraph 4(a)(i) of the Policy is thus fulfilled.

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

Numerous UDRP panels have found that, even though the Complainant bears the general burden of proof under paragraph 4(a) (ii) of the UDRP, the burden of production shifts to the Respondent once the Complainant makes a *prima facie* showing that the Respondent lacks rights or legitimate interests. See *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Hence, after the Complainant has made a *prima facie* showing that the Respondent has no rights or legitimate interests in the Disputed Domain Name, it will be deemed to have satisfied paragraph 4(a)(ii) of the UDRP when the Respondent fails to submit a response.

In this case, the Complainant brings forward the following elements:

- The Respondent is not known under the Disputed Domain Name, nor does it have any trademark rights on the term "G4S";
- No license or authorization has been granted by the Complainant to the Respondent; and
- The Respondent has not used the Disputed Domain Name for a *bona fide* offering goods and services and the Disputed Domain Name has been used in multiple ways including to redirect Internet users to a malicious virus pop-up scam site.

Therefore, the Panel finds that the Complainant has made a *prima facie* case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name.

Moreover, the Panel notes that the nature of the Disputed Domain Name, combining the entirety of the Complainant's distinctive trademark with descriptive word, carries a risk of implied affiliation (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 2.5.1). UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner.

The Respondent has not come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name.

Given these circumstances, the Panel finds that the second element of paragraph 4(a)(ii) of the Policy is satisfied.

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

The Panel considers that the Respondent could not plausibly ignore the existence of the Complainant's Trademarks at the time the Disputed Domain Name was registered since (i) the Disputed Domain Name was registered several years after the registration of the Complainant's trademarks in various jurisdictions. Therefore, it is more possible than not that the Respondent had the Complainant's Trademarks in mind at the moment of registration of the disputed domain name and (ii) several Panels have recognized that the Complainant has a widespread reputation in the G4S marks with regard to its products and services.

Also, the Respondent's failure to respond to the cease-and-desist letter sent by the Complainant further reinforces the inference of bad faith use and therefore registration.

Therefore, the Panel finds that the Respondent registered the Disputed Domain Name because of its reference to the Trademarks owned by the Complainant and the registration was therefore made in bad faith.

As to the use of the Disputed Domain Name in bad faith, the Panel has evidenced that the Disputed Domain Name resolves to a parked webpage hosting PPC sponsored links. Previous UDRP Panels have found that while the intention to earn click-through-revenue is not in itself illegitimate, the use of a domain name that is deceptively similar to a trademark to obtain click-through-revenue is found to be bad faith use. See *In Mpire Corporation v. Michael Frey*, WIPO Case No. [D2009-0258](#).

Furthermore, the Panels has evidenced that the Disputed Domain Name was offered for sale for an amount exceeding the Respondent's out-of-pocket expenses. This added to the Respondent's failure to reply to the Complainant's contentions and the Disputed Domain Name has been used in multiple ways including to redirect Internet users to a malicious virus pop-up scam site, provide no basis for the Panel to believe that the Disputed Domain Name might conceivably be put to good faith use.

Taking into account all of the above, it is not possible to conceive of any plausible actual or contemplated active use of the Disputed Domain Name by the Respondent that would not be illegitimate.

Consequently, the Panel finds that the third and final element of the Policy is met.

### **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, <g4ssolutions.com> be transferred to the Complainant.

*/Isabelle Leroux/*

**Isabelle Leroux**

Sole Panelist

Date: December 19, 2022