

## **ADMINISTRATIVE PANEL DECISION**

LinkedIn Corporation v. Javed Rehman  
Case No. D2024-0664

### **1. The Parties**

The Complainant is LinkedIn Corporation, United States of America ("United States"), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is Javed Rehman, Bahrain.

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

The disputed domain name <linkedinproz.com> (the "Disputed Domain Name") 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, 2024. On February 13, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On February 14, 2024, 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 February 15, 2024, 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 February 15, 2024.

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 the Respondent of the Complaint, and the proceedings commenced on February 19, 2024. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 11, 2024.

The Center appointed Mariia Koval as the sole panelist in this matter on March 14, 2024. 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, founded in 2003, is a business and employment-focused social media platform that works through websites and mobile apps. Since 2016, the Complainant has been a wholly owned subsidiary of Microsoft. The Complainant's social platform is primarily used for professional networking and career development, and allows jobseekers to post their CVs and employers to post jobs. With more than 1 billion members in more than 200 countries and regions, including executives from every Fortune 500 company, the Complainant is the world's largest professional network on the Internet. The Complainant has 19,400 full-time employees with 36 offices in cities around the world and operates websites in 26 languages.

The Complainant is the owner of at least 235 LINKEDIN trademark registrations (the "LINKEDIN Trademark") in at least 62 jurisdictions worldwide, among which are:

- United states Trademark Registration No. 3074241, registered on March 28, 2006, in respect of services in class 35;
- United states Trademark Registration No. 4007079, registered on August 2, 2011, in respect of services in class 45;
- European Union Trademark Registration No. 4183893, registered on July 24, 2006, in respect of services in class 35;
- International Registration No. 1368414, registered on April 27, 2017, in respect of services in class 41.

The Complainant has built up a considerable online presence and is operating domain name <linkedin.com> (registered in 2002). The Complainant also operates pages on various social media platforms, in particular Facebook, Instagram, X (Twitter), and YouTube.

The Disputed Domain Name was registered on December 10, 2022. As at the date of this Decision, the Disputed Domain Name resolves to an inactive website. However, according to the evidence presented by the Complainant, the Disputed Domain Name previously resolved to a website containing the Complainant's logo and suggesting to allow users to "buy LinkedIn followers" at prices ranging from USD10 (for 100 followers) to USD1,000 (for 10,000 followers):

#### **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.

Notably, the Complainant contends that the Disputed Domain Name is confusingly similar to the Complainant's LINKEDIN Trademark. The Disputed Domain Name incorporates the Complainant's LINKEDIN Trademark in its entirety with addition of the word "proz" (apparently a variation of the word "pros," which is shorthand for "professionals"). The LINKEDIN Trademark is clearly recognizable within the Disputed Domain Name.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name in view of the following:

- the Complainant has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register or use the LINKEDIN Trademark in any manner;
- the Disputed Domain Name which is confusingly similar to the Complainant's LINKEDIN Trademark was used for the website containing the Complainant's logo and where the "LinkedIn followers" are offering for sale;
- by selling its services for prices ranging from USD10 to USD1,000, the Respondent clearly is not using the Disputed Domain Name in a noncommercial manner without intent for commercial gain;
- the Respondent has never been commonly known by the Disputed Domain Name and has never acquired any trademark or service mark rights in the Disputed Domain Name.

The Complainant further contends that the Respondent registered and is using the Disputed Domain Name in bad faith. Given the Complainant's established rights in its LINKEDIN Trademark and the fact that the Disputed Domain Name is so obviously connected with the Complainant given its numerous registrations worldwide for the LINKEDIN Trademark, the Respondent's actions suggest "opportunistic bad faith" in violation of the Policy.

Moreover, by using the Complainant's LINKEDIN Trademark on a website offering for sale services related to the Complainant's services, the Respondent quite obviously has intentionally attempted to attract, for commercial gain, Internet users to a website, by creating a likelihood of confusion with the LINKEDIN Trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or of a product or service on the Respondent's website.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, a complainant to succeed must satisfy the panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which 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 was registered and is being used 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 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.

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

The entirety of the Complainant's LINKEDIN Trademark is completely reproduced within the Disputed Domain Name with addition of the word "proz" and the generic Top-Level Domain ".com". Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's LINKEDIN Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other term or word, here "proz", may bear on assessment of the second and third elements, the Panel finds the addition of such word does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy.

In view of the foregoing the Panel finds the first element of the Policy has been established.

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

Paragraph 4(c) 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 UDRP 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.

The Complainant has not have authorized, licensed, or permitted the Respondent to register or use the Disputed Domain Name or to use the LINKEDIN Trademark nor is there any other evidence in the file suggesting that the Respondent has or could have rights or legitimate interests in the Disputed Domain Name.

The Panel is of the opinion that the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name. On the contrary, as at the date of filing of the Complaint, the Disputed Domain Name resolved to a website with use of the Complainant’s logo and containing an offering of LinkedIn users profiles for sale with different prices ranges. Such use of the confusingly similar Disputed Domain Name would not support a claim to rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.3. Therefore, the Panel cannot consider such use of the Disputed Domain Name as bona fide offering of goods or services, or a legitimate noncommercial or fair use.

Also, in accordance with the [WIPO Overview 3.0](#), section 2.5.1, even where a domain name consists of a trademark plus an additional term (at the second or Top-Level), 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. Therefore, the addition of the word “proz”, in the Disputed Domain Name may create an impression that the Disputed Domain Name is connected with the Complainant’s LINKEDIN Trademark.

The fact that the Disputed Domain Name currently resolves to inactive website is further evidence that the Respondent lacks rights or legitimate interests.

Based on the available record, 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(b) 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.

In the present case, the Panel finds that the Respondent has registered and is using the Disputed Domain Name in bad faith in view of the following.

The Disputed Domain Name was registered long after the Complainant registered its LINKEDIN Trademark. The Disputed Domain Name incorporates the Complainant's LINKEDIN Trademark in whole and previously resolved to the website with use of the Complainant's logo and offering of the LinkedIn users profiles for sale that may create a likelihood of confusion with the Complainant's LINKEDIN Trademark as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name – to purportedly fraudulently sell users – constitutes bad faith under the Policy. Internet users might have been under the impression that it is a website created and operated by the Complainant or a certified service provider of the Complainant, which is not true. Moreover, such use of the Disputed Domain Name indicates that the Respondent was well aware of the Complainant's activity and LINKEDIN Trademark when he registered the Disputed Domain Name. Generally speaking, the evidence in the case file as presented indicates that the Respondent's aim in registering the Disputed Domain Name was obviously to profit from or exploit the Complainant's LINKEDIN Trademark.

The Panel is also of the opinion that it is clear that the Respondent, having registered and used the Disputed Domain Name, which is confusingly similar to the Complainant's LINKEDIN Trademark, intended to disrupt the Complainant's business and confuse Internet users seeking for or expecting the Complainant. In view of the absence of any evidence to the contrary and that the Respondent did not file any response to claim otherwise, the Panel concludes that the Respondent has registered and is using the Disputed Domain Name in bad faith.

Finally, the Respondent, not participating in the proceeding, has failed to indicate any facts and/or evidence, which would show the good faith registration or use of the Disputed Domain Name.

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

## **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 <linkedinproz.com> be transferred to the Complainant.

*/Mariia Koval/*

**Mariia Koval**

Sole Panelist

Date: March 28, 2024