

ADMINISTRATIVE PANEL DECISION

Reckitt & Colman (Overseas) Health Limited, Reckitt Benckiser SARL v. Name Redacted

Case No. D2024-2462

1. The Parties

The Complainants are Reckitt & Colman (Overseas) Health Limited (the “First Complainant”), United Kingdom and Reckitt Benckiser SARL (the “Second Complainant”), Luxembourg, represented by Studio Barbero S.p.A., Italy.

The Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name, <thereckittbenckiser.com> (the “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 June 17, 2024. On June 18, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On June 18, 2024, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 19, 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 June 20, 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 June 21, 2024. In accordance with the Rules, paragraph 5, the due date for Response was July 11, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 12, 2024.

The Center appointed Tony Willoughby as the sole panelist in this matter on July 16, 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 Complainants are sister companies, subsidiaries in the group of companies headed by Reckitt Benckiser plc, a group of companies engaged in the production and sale of consumer health, hygiene, household, and nutrition products. The First Complainant is the registered proprietor of a number of trade mark registrations covering the mark RECKITT, one of which is United Kingdom Trade Mark No. UK00003615754 RECKITT (word), registered on November 5, 2021 in classes 1, 3, 5, 8, 9, 10, 11, 21, 25, 29, 30, 31, 32, 35, 36, 41, 42, and 44. The Second Complainant is the registered proprietor of a number of trade mark registrations covering the mark RECKITT BENCKISER, one of which is European Union Trade Mark No. 001416056 RECKITT BENCKISER (word), registered on February 7, 2003 in classes 1, 3, 5, 21, 35, and 42.

The Domain Name was registered on May 21, 2024 in the name of the Complainants' Chief Human Resources Officer (but missing a letter) at the address of the First Complainant. It is currently connected to a parking page hosted by the Registrar, but at the date of the filing of the Complaint it was connected to a pay-per-click parking page.

From a date unknown, but no later than May 31, 2024, the Domain Name was being used for fraudulent emails to third parties falsely purporting to come from the Complainants' Chief Human Resources Officer and concerning job positions at the United Kingdom address of the First Complainant. One of the emails featured an additional email address based upon the domain name, <reckittjob.com>, which formed the basis for a complaint under the Policy and was ordered to be transferred to the Complainants by the decision in *Reckitt & Colman (Overseas Health Limited) and Reckitt Benckiser SARL v. Mayur Patel*, (WIPO Case No. [D2024-0749](#)). Another of the emails featured as an additional email address based on the domain name, <reckittcareer.uk>, which formed the basis for a complaint under the Nominet DRS and was ordered to be transferred to the Complainants by way of a summary decision in *Reckitt & Colman (Overseas Health Limited) and Reckitt Benckiser SARL v. recruitment* (Nominet Case No. D00026380). Moreover, that email from the Respondent indicated that the recipient would be receiving a payment receipt.

On June 3, 2024 the Complainants' representative emailed a cease and desist letter addressed to the Respondent at the email address, [name redacted]@thereckittbenckiser.com, used by the Respondent in the above mentioned email traffic and addressed also to the proxy service used by the Respondent. The letter sought, inter alia, immediate transfer of the Domain Name.

On June 3, 2024, the Complainants' representative emailed to the Registrar a report on the use being made of the Domain Name and followed it up with a further report on June 7, 2024, seeking suspension of the Domain Name. No responses were received to those emails from the Complainants' representative.

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the Domain Name.

The essence of the Complaint is that, as indicated in section 4, the Respondent registered the Domain Name for the purpose for which he is using it, namely, to deceive people into believing that his emails featuring the Domain Name are genuine emails concerning job offers with the Complainants. One of the emails indicated that the addressee had paid money to the Respondent for which the Respondent would be receiving a payment receipt. Fraudulent behaviour of this kind cannot give rise to rights or legitimate interests in respect of the Domain Name and is clear evidence that the Domain Name has been registered and is being used in bad faith.

Accordingly, the Complainants request the Domain Name be transferred to the Second Complainant.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

A. General

According to paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the Domain Name, the Complainants must prove each of the following, namely that:

- (i) the Domain Name is identical or confusingly similar to a trade mark or service mark in which the Complainants have rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

B. 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 Complainants' trademarks and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainants have shown rights in respect of trademarks or service marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the marks are reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the marks 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.

C. Rights or Legitimate Interests and D. Registered and Used in Bad Faith

In this case it is convenient that the second and third elements of the Policy be dealt with together. As indicated in section 4 above, the factual background is such that, as contended by the Complainant, the Respondent's objective from the outset was to register a deceptively similar domain name (the Complainants' principal trade marks preceded by the definite article) with the fraudulent intent of using it for email addresses barely distinguishable from email addresses used by the Complainant's staff and thereby seeking to defraud job applicants, deceiving them into believing that the job offers emanated from the Complainants and taking money from them in the process.

Fraudulent activity of this kind can never confer rights or legitimate interests on a respondent ([WIPO Overview 3.0](#), section 2.13.1) and on the same basis registration and use of a domain name for such a purpose clearly constitutes bad faith registration and use of the Domain Name under the Policy ([WIPO Overview 3.0](#), section 3.4).

The Panel finds that both the second and third elements have 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 Domain Name <thereckittbenckiser.com> be transferred to the Second Complainant.

/Tony Willoughby/
Tony Willoughby
Sole Panelist
Date: July 26, 2024

¹ Taking into consideration the alleged fraudulent impersonation of an employee of the Complainant in the registration details of the Domain Name, the Panel has decided that no purpose can be served by including the named Respondent in this decision, and has therefore redacted the Respondent's name from the caption and body of this decision. The Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name that includes the named Respondent, and has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding. However, the Panel has further directed the Center, pursuant to paragraph 4(j) of the Policy and paragraph 16(b) of the Rules, that Annex 1 to this Decision shall not be published due to exceptional circumstances. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).