

ADMINISTRATIVE PANEL DECISION

Signum International AG v. Adam Robert
Case No. D2024-5251

1. The Parties

The Complainant is Signum International AG, Switzerland, represented by Aera A/S, Denmark.

The Respondent is Adam Robert, United Kingdom (“UK”).

2. The Domain Name and Registrar

The disputed domain name <hultprizesix.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 20, 2024. On December 20, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 20, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 23, 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 amended Complaint on December 27, 2024.

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 December 30, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 20, 2025.

The Center appointed Ugur G. Yalçiner as the sole panelist in this matter on January 22, 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 the entity asserting ownership and control over the intellectual property rights of the Hult Prize Foundation, a non-profit organization, established in 2010 and dedicated to inspiring young innovators to solve the world's most urgent problems through entrepreneurship.

The Complainant is the owner of several trademark registrations consisting of the terms "Hult" and "Hult Prize", some of which are listed below:

- European Union ("EU") trademark registration HULT PRIZE with registration No. 012046264, registered on January 4, 2014, in classes 16, 35 and 41. (The UK (where the Respondent reportedly resides) was a member of the EU at the time of registration of the disputed domain name)
- International trademark registration HULT PRIZE with registration No. 1180126, registered on September 5, 2013, in class 41, designating China and Japan.
- United States of America ("United States") trademark registration HULT PRIZE with registration No. 4550897, registered on June 17, 2014, in class 41.
- United States trademark registration HULT with registration No. 3742352, registered on January 26, 2010, in classes 16 and 41.

The Complainant also owns the domain name <hultprize.org>, registered on July 19, 2012, and it has been used for the Complainant's website.

The disputed domain name was registered on March 8, 2014. At the time of filing of the Complaint, the disputed domain name resolves to a website prominently displaying the Complainant's trademark. The Respondent's website uses a similar design of the Complainant's website "www.hultprize.org" and the Complainant's images. At the time of this Decision, the disputed domain name does not resolve to any active website.

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. The Complaint includes the following contentions:

(i) Identical or Confusingly Similar

The Complainant contends that the disputed domain name is confusingly similar to the Complainant's trademarks HULT and HULT PRIZE as the disputed domain name incorporates the entirety of the Complainant's trademarks followed by the generic word/number "six" and the generic Top-Level Domain ("gTLD") "com", the addition of the number "six" does not prevent a finding of confusing similarity.

(ii) Rights or legitimate interests

The Complainant alleges that the Respondent has no rights to or legitimate interest in the disputed domain name based on the Complainant's continuous and long prior use of its trademarks and trade name, the Respondent is not affiliated or related to the Complainant in any way, or licensed or otherwise authorized to use the HULT PRIZE trademark in connection with a website, email communication or for any other purpose, the Respondent is not using the disputed domain name in connection with any bona fide offering of goods or services, is not generally known by the disputed domain name and has not acquired any trademark or service mark rights in that name or mark.

The Complainant asserts that the Respondent cannot claim to be commonly known by the disputed domain name, as the HULT PRIZE trademark is exclusively associated with the Complainant. The Complainant further alleges that the Respondent has neither made nor is making a legitimate noncommercial or fair use of the disputed domain name.

The Complainant alleges that the Respondent's website closely mirrors the website of the Hult Prize Foundation as well as its activities, creating a false impression of affiliation, this conduct is clearly designed to exploit the Complainant's rights and the goodwill and reputation of the Hult Prize Foundation associated with these rights for the Respondent's benefit, the Respondent provides a link to the Complainant's official website "www.hultprize.org", further misleading consumers into believing that the Respondent is associated with the Complainant.

The Complainant contends that this misrepresentation negates any claim of legitimate interest, disputed domain name, incorporating the Complainant's trademark with the generic suffix "six," allegedly leads users to believe that the site is owned, operated, or endorsed by the Complainant, the Respondent's failure to disclaim any connection is said to exacerbate this confusion, there is no plausible legitimate use of the disputed domain name by the Respondent or any third party, as any such use would inevitably result in misleading diversion and unfair advantage, accordingly, the Complainant asserts that the Respondent has no rights or legitimate interest in the disputed domain name.

(iii) Registration and Use in Bad Faith

The Complainant asserts that the Respondent was aware of its HULT and HULT PRIZE trademarks and alleges that the Respondent selected the disputed domain name to exploit the Complainant's goodwill or create a false association, the website linked to the disputed domain name unlawfully uses the Complainant's trademarks without permission, misleading users into believing there's an affiliation, this creates confusion and diverts traffic from the Complainant.

The Complainant contends that the Respondent's website directly references "www.hultprize.org", the Hult Prize Foundation, and the Hult Prize Competition, including mentions and depictions the announcing past winners, further reinforcing the association with the Complainant, the Respondent is implicating that the disputed domain name and the associated website are directly or indirectly associated with the Complainant.

The Complainant asserts that the disputed domain name, active since 2014, has been periodically updated to align with Hult Prize competitions, demonstrating bad faith intent to target the Complainant, these updates allegedly exploit the Complainant's goodwill and mislead users, the Respondent's ongoing pattern of bad faith use perpetuates harm, it asserts that it has acted promptly upon discovering the Respondent's actions and that any claim of unreasonable delay does not constitute a valid defense under the Policy, the Respondent, Adam Robert, has engaged in a pattern of registering abusive domain names to prevent trademark holders from securing their marks, citing prior domain name disputes resulting in decisions against the Respondent. It is clear that the disputed domain name has been registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three elements are present:

(i) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(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 are 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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The Panel is satisfied that the Complainant is the owner of the trademarks HULT and HULT PRIZE registered in several countries.

The disputed domain name incorporates the Complainant's trademark HULT PRIZE, with the additional term "six", which is the word expression of number "6". In this regard, the Panel considers mere addition of the term "six" does not prevent the confusing similarity with the Complainant's trademark, as the Complainant's HULT PRIZE trademark is recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.8.

It is an accepted principle that gTLDs, in this case ".com", are to be typically disregarded in the consideration of the issue of whether a domain name is identical or confusingly similar to a Complainant's trademark. Disregarding the gTLD ".com", the Panel notes that the disputed domain name is confusingly similar to the Complainant's trademark.

In the light of the above, the Panel finds that the disputed domain name is confusingly similar to the Complainant's registered trademark and that the requirements in paragraph 4(a)(i) of the Policy are fulfilled.

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 Panel notes that the Respondent does not have any registered trademarks or trade names and no license or authorization of any other kind has been given by the Complainant to use its registered trademark. There is no evidence of the Respondent's demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services, neither.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. As a result, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name, and the requirements of paragraph 4(a)(ii) of the Policy are therefore fulfilled by the Complainant.

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 is satisfied with the relevant evidence filed by the Complainant showing that it owns trademark rights for HULT and HULT PRIZE, which have been registered and used before the registration of the disputed domain name on March 8, 2014. The Panel also notes that the registration date of the disputed domain name is later than the Complainant's launch of Hult Prize in 2010. The disputed domain name incorporates the Complainant's trademark in its entirety, and the Panel considers that it is more likely than not that the Respondent knew of the Complainant and its Hult Prize when registering the disputed domain name.

This finding is corroborated by the Complainant's submission that the Respondent provides at its website a link to the Complainant's official website "hultprize.org". While the demonstrated use is sufficient, the Panel also conducted a limited research at the Internet Archive in order to determine how the Respondent had used the disputed domain name in the relevant past as it is accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8. Based on its research on "www.archive.org", the Panel found the following on the website to which the disputed domain name resolved:

- The first archive record belongs to the date of March 15, 2014 (a few days after registration of the disputed domain name).
- Between 2014 and 2018, the "about us", "contact", "terms of use", etc. sections were redirected to the Complainant's website "hultprize.org".
- Between 2018 and 2020, there is no archive record.
- Between 2020 and 2024, the "FAQs", etc. sections were redirected to the Complainant's website "www.hultprize.org", while the "contact" section redirected mail to the Complainant's contact details.
- Between 2017 and 2024, the website remained active without any updates.
- The last archive record is dated September 18, 2024.

- The website contained information about the list of panelists, their projects and the jury, as well as the same photo of Bill Clinton with the winner team and his quote as used in the Complainant's website.

The Panel is of the opinion that it is implausible for the Respondent to have been unaware of the Complainant and its trademark when the disputed domain name was registered given that the Respondent began using the website with the same information and photos with the Complainant and by providing links to the Complainant's website a few days after the disputed domain name was registered. As several UDRP panels have held, the Panel considers that being aware of the Complainant's trademark at the time of registering the disputed domain name may create a presumption of bad faith in relevant circumstances.

The Panel finds it more likely than not that the Respondent's aim of the registration was to take unfair advantage of the Complainant's trademark. Therefore, the Panel is satisfied that the defaulting Respondent likely has the intention of misleading the public to believe that there is some affiliation or business relationship with the Complainant.

The fact that the Respondent did not change the content of the website to which the disputed domain name resolved, but left the website as it was after registering the domain name, further constitutes bad faith, since the content of the website already created confusion with the Complainant's trademark and official website. Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having considered all the facts in this case, the Panel finds that the Complainant has sustained its burden of proof in showing that the disputed domain name was registered and 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 <hultprizesix.com> be transferred to the Complainant.

/Ugur G. Yalçiner/

Ugur G. Yalçiner

Sole Panelist

Date: February 5, 2025