

ADMINISTRATIVE PANEL DECISION

QatarEnergy v. Johnson Ferry, and Zain Ashfaq Ahmed, Zain Hosting Case No. D2024-5274

1. The Parties

Complainant is QatarEnergy, Qatar, represented by Hogan Lovells (Paris) LLP, France.

Respondents are Johnson Ferry, United Kingdom ("UK") ("Respondent No. 1"), and Zain Ashfaq Ahmed, Zain Hosting, Pakistan ("Respondent No. 2"), (together "Respondents").

2. The Domain Names and Registrars

The disputed domain name <qatarenergyprojectqa.com> ("disputed domain name No. 1") is registered with eNom, LLC (the "First Registrar") while the disputed domain name <qatarenergyprojectsqa.com> ("disputed domain name No. 2") is registered with NameSilo, LLC (the "Second Registrar") (together "disputed domain names").

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 names. On December 23, 2024, the First Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name No. 1 which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. On December 23, 2024, the Second Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name No. 2 which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint.

The Center sent an email communication to Complainant on December 26, 2024, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar(s), requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on December 27, 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”).

On January 3, 2025, the Center received an email from Respondents indicating willingness to transfer both disputed domain names. On January 9, 2025, Complainant requested to continue the proceedings.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondents of the Complaint, and the proceedings commenced on January 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 2, 2025. Respondents did not submit any formal response but sent a further email communication to the Center on January 25, 2025, identical to the one of January 3, 2025. Accordingly, the Center notified the Commencement of Panel Appointment Process to the Parties on February 5, 2025.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on February 13, 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

Complainant is a company organized under the laws of Qatar that is active in the energy industry.

Complainant has provided evidence that it is the registered owner of numerous trademarks relating to its company name and brand QATAR ENERGY, including, but not limited to, the following:

- word-/device trademark QATAR ENERGY, European Union Intellectual Property Office (EUIPO), trademark number: 018573702, registration date: April 19, 2022, status: active.

Moreover, Complainant has demonstrated to own various domain names relating to its QATAR ENERGY trademark, including since at least October 2021 the domain name <qatarenergy.qa>, which resolves to Complainant’s main website at “www.qatarenergy.qa”, used to promote Complainant’s products and related services in the energy industry internationally.

Respondent No. 1, according to the Registrar Verification for the disputed domain name No.1, is located in the UK, while Respondent No. 2, according to the Registrar Verification for the disputed domain name No. 2, is located in Pakistan. Both disputed domain names were registered on March 31, 2024; by the time of the rendering of this decision, they both resolve to inactive webpages with no relevant content. Complainant, however, has demonstrated that the disputed domain name No. 1, at some point before the filing of the Complaint, resolved to a typical landing page, to which the disputed domain name No. 2 redirected in turn. Also, Complainant has shown that the disputed domain name No. 2 has been used e.g., on August 8, 2024, to impersonate Complainant as part of a fraudulent email scheme.

Complainant requests that the disputed domain names be transferred to Complainant.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names. Notably, Complainant contends to be the world leader in the production of liquefied natural gas, with a history of over 80 years since the first drilling activities in 1939.

Complainant submits that the disputed domain names are confusingly similar to Complainant's QATAR ENERGY trademark, as they incorporate the latter in its entirety, with the addition of the descriptive terms "project" and "projects" and the abbreviation "qa" for Qatar. Moreover, Complainant asserts that Respondents have no rights or legitimate interests in respect of the disputed domain names since (1) the disputed domain name No. 2 has been used in connection with an advanced fee fraud, thereby impersonating Complainant, while the disputed domain name No. 1 has been passively held instead, (2) Respondents cannot conceivably claim that they are commonly known by the disputed domain names, and (3) neither using the disputed domain name No. 2 in connection with an advance fee fraud nor using the disputed domain name No. 1 to point to a landing page amounts to legitimate noncommercial or fair use thereof. Finally, Complainant argues that Respondents have registered and are using the disputed domain names in bad faith since (1) Complainant and its QATAR trademark have acquired considerable renown and goodwill worldwide in connection with oil and gas activities, (2) from Respondent's use of the disputed domain name No. 2 in connection with an advance fee fraud impersonating Complainant, it may be inferred that Respondent had actual knowledge of Complainant and its QATAR ENERGY trademark at the time of registering the disputed domain names, so that (3) such use constitutes conclusive evidence of Respondents' bad faith, and (4) it is difficult to conceive of a plausible good-faith use to which the disputed domain name No. 1 could be put that would not have the effect of misleading consumers as to its source or affiliation, noting in particular Respondents' use of a highly similar domain name in the furtherance of a fraudulent phishing scheme.

B. Respondents

Respondents did not formally reply to Complainant's contentions but sent identical informal email communications to the Center on January 3, 2025, as well as on January 25, 2025, indicating willingness to transfer both disputed domain names.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain names are identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) that Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) that the disputed domain names have been registered and are being used in bad faith.

Respondents' formal default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondents do not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondents' failure to submit a Response as it considers appropriate.

A. Consolidation due to multitude of Respondents

As regards the multitude of Respondents and disputed domain names belonging to them, the Panel notes that (1) both disputed domain names have been registered by different Registrars, however, on the exact same date, (2) both disputed domain names follow an almost identical naming pattern, as they comprise the entirety of Complainant's QATAR ENERGY trademark, added by the nearly identical terms "project" and "projects", respectively, as well as the term "qa", which is the two-letter code for Qatar, (3) both disputed domain names resolved at some point to identical landing pages with no relevant content, and (4) Respondent acknowledged in its informal email communications that "Both domains were registered by a client of ours" and showed willingness to transfer both disputed domain names. Therefore, it is reasonable to argue that the disputed domain names are subject to some kind of common control, which is why it is also fair and equitable to all Parties that this Complaint is consolidated against multiple Respondents at the same

time. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.11.2).

Having said so, the Panel comes to the following finding.

B. Identical or Confusingly Similar

First, 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 Complainant’s QATAR ENERGY trademark and the disputed domain names. [WIPO Overview 3.0](#), section 1.7.

Complainant has shown rights in respect of its QATAR ENERGY trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The entirety of such trademark is reproduced within the disputed domain names, simply added by the terms “project(s)” and “qa”, the latter being the two-letter code for Qatar where Complainant is located. Accordingly, the disputed domain names are confusingly similar to Complainant’s QATAR ENERGY trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Although the addition of other terms (here, the terms “project(s)” and “qa”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and Complainant’s QATAR ENERGY trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel, therefore, finds the first element of the Policy has been established.

C. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which Respondents 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 Complainant has established a prima facie case that Respondents lack rights or legitimate interests in the disputed domain names. Respondents have not rebutted Complainant’s prima facie showing and have not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

In particular, Respondents apparently have not been authorized to use Complainant’s QATAR ENERGY trademark, either as a domain name or in any other way. Also, there is no reason to believe that Respondents’ names somehow correspond with the disputed domain names and Respondents do not appear to have any trademark rights associated with the terms “qatar” and/or “energy” and/or “project(s)” and/or “qa” on their own. To the contrary, Complainant has demonstrated that, at some point before the filing of this Complaint, e.g., on August 8, 2024, the disputed domain name No. 2 has been used to impersonate Complainant as part of a fraudulent email scheme. Such use of the disputed domain name No. 2 neither qualifies as a bona fide offering of goods or services, nor as using the disputed domain name for a legitimate noncommercial or fair purpose. In this context, UDRP panels have held that the use of a domain name for illegal activity (here, phishing) can never confer rights or legitimate interests on a respondent.

[WIPO Overview 3.0](#), section 2.13.1. Also, in relation to the fact that the disputed domain name No. 1 so far has been passively held, UDRP panels have found that the mere registration of a domain name does not by itself automatically confer rights or legitimate interests therein. [WIPO Overview 3.0](#), section 2.10.1.

The Panel, therefore, finds the second element of the Policy has been established, too.

D. Registered and Used in Bad Faith

Third, 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.

The circumstances of this case leave no doubts that Respondents were fully aware of Complainant's business and its rights in the QATAR ENERGY trademark when registering the disputed domain names and that the latter clearly are directed thereto. Moreover, using the disputed domain name No. 2 for illegal phishing activities by impersonating Complainant as part of a fraudulent email scheme, is a clear indication that Respondents intentionally attempted to attract, for commercial gain, Internet users to their own email communication by creating a likelihood of confusion with Complainant's QATAR ENERGY trademark as to the source, sponsorship, affiliation or endorsement of Respondents' phishing email. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the larger meaning of paragraph 4(b)(iv) of the Policy. Moreover, UDRP panels have long held that the use of a domain name for illegitimate/illegal activity (here, phishing) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Also, in relation to the fact that the disputed domain name No. 1 so far has been passively held, the Panel holds that such non-use does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the undisputed distinctiveness and reputation of Complainant's QATAR ENERGY trademark and the almost identical composition of both disputed domain names (which reproduce such trademark entirely), and so concludes that in the circumstances of this case the passive holding of the disputed domain name No. 1 does not prevent a finding of bad faith under the Policy.

The Panel, therefore, finds that Complainant has established the third element of the Policy, too.

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 names, <qatarenergyprojectqa.com> and <qatarenergyprojectsqa.com>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: February 25, 2025