

## **ADMINISTRATIVE PANEL DECISION**

Bureau Veritas (Société Anonyme) v. KUNCHLA RAO  
Case No. D2025-0112

### **1. The Parties**

The Complainant is Bureau Veritas (Société Anonyme), France, represented by Denнемeyer & Associates S.A., France.

The Respondent is KUNCHLA RAO, India.

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

The disputed domain name <bureauveritasindia.com> 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 January 13, 2025. On January 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 13, 2025, 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 January 14, 2025, 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 January 15, 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 4, 2025. On January 28, 2025, the Respondent sent an email communication to the Center, expressing its willingness to discuss settlement or resolution possibilities. In view of the above communication, and according to paragraph 17 of the Rules, on January 29, 2025, the

Center offered the possibility to the Parties to suspend the present proceedings in order to explore settlement options, and gave the Complainant the deadline of February 4, 2025, for submitting a request for suspension. On January 29, 2025, the Complainant refused to suspend the proceedings.

The Center appointed Edoardo Fano as the sole panelist in this matter on February 10, 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.

The Panel has not received any requests from the Complainant or the Respondent regarding further submissions, waivers, or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

Having reviewed the communication records in the case file provided by the Center, the Panel finds that the Center has discharged its responsibility under the Rules, paragraph 2(a), “to employ reasonably available means calculated to achieve actual notice to [the] Respondent”. Therefore, the Panel shall issue its Decision based upon the Complaint, the Policy, the Rules, and the Supplemental Rules and without the benefit of a formal response from the Respondent.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

#### **4. Factual Background**

The Complainant is Bureau Veritas (Société Anonyme), a French company founded in 1828, operating as a world leader in the field of testing, inspection and certification services with several subsidiaries (also in India, namely the Respondent’s country), and owning several trademark registrations for BUREAU VERITAS all over the world, among which:

- European Union Trademark Registration No. 004518544 for BUREAU VERITAS, registered on June 1, 2006;
- International Trademark Registration No. 1289458 for BUREAU VERITAS, registered on December 23, 2015, also extended to India;
- Indian Trademark Registration No. 491389 for BUREAU VERITAS, registered on May 20, 1988.

The Complainant also operates on the Internet, its main website being “[www.bureauveritas.com](http://www.bureauveritas.com)”.

The Complainant provided evidence in support of the above.

According to the Whois records, the disputed domain name was registered on October 29, 2024, and it resolves to a subscription page of a self-proclaimed company “H-R Bureau India”, in which it appears the wording “Ensuring Quality and Compliance in Structural Design & Construction”, and below it the possibility to subscribe for email updates – otherwise the page does not seem to have any content or functionality.

#### **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 states that the disputed domain name is confusingly similar to its trademark BUREAU VERITAS, as the disputed domain name wholly incorporates the Complainant’s trademark.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name since it has not been authorized by the Complainant to register the disputed domain name or to use its trademark within the disputed domain name, and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name. The disputed domain name resolves to a page of a website with the name “H-R Bureau India” and the slogan “Ensuring Quality and Compliance in Structural Design & Construction”, leading the public to believe that the Respondent is linked to the Complainant and that it also provides certification services in the field of structural design and construction, which is an activity covered by the Complainant.

The Complainant submits that the Respondent has registered the disputed domain name in bad faith, since the Complainant’s trademark BUREAU VERITAS is distinctive and well-known in the field of testing, inspection and certification services. Therefore, the Respondent targeted the Complainant’s trademark at the time of registration of the disputed domain name and the Complainant contends that the use of the disputed domain name to divert customers by creating confusion about the origin of the services and thus tarnishing the Complainant’s trademark and damaging the Complainant’s image and reputation, qualifies as bad faith registration and use.

## **B. Respondent**

The Respondent has made no formal reply to the Complainant’s contentions. The Respondent sent an informal communication on January 28, 2025, stating the following:

“I’m writing in response to the notification regarding the administrative proceeding commenced against me concerning the domain name. I want to clarify that I have no intention of causing harm or creating any issues for the Complainant. As a structural engineer, my goal is to implement innovative structural consultancy and quality assurance services. I chose the names “Bureau” and “Veritas” because they represent a deep commitment to integrity and excellence in structural health, consultancy, and quality assurance. I’m open to any form of settlement or resolution, except for monetary compensation, as I’m a startup structural consultant focusing on design, quality, and health assurance reports. I assure you that I never intended to interfere with any professional company by using a similar domain name. My aim is to make people aware that our domain signifies a commitment to the betterment of structural health, particularly in supporting those who are often exploited by developers and builders. After receiving approval from GoDaddy for this domain, I purchased it with full protection. Relinquishing this domain now would result in not only a financial loss but also a loss of the reputation I’ve built around it. I apologize if my actions have caused any inconvenience or harm. My primary objective is to contribute positively to the field of structural health and to support those in need. Thank you for your understanding.”

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

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

A respondent is not obliged to participate in a proceeding under the Policy, but if it fails to submit a formal response, reasonable facts asserted by a complainant may be taken as true, and appropriate inferences, in accordance with paragraph 14(b) of the Rules, may be drawn. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.3.

## **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 3.0](#), section 1.7.

Based on the available record, the Panel finds 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 mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, here "india", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

It is also well accepted that a generic Top-Level Domain, in this case ".com", is typically ignored when assessing the similarity between a trademark and a domain name. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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.

While 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 often impossible 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. 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 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 made some barebones arguments but in the Panel's view 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 finds it too much of a coincidence that the Respondent in the "compliance" business would not have been aware of the Complaint in the certification business, and does not find the combination of "bureau" and "veritas" to be a coincidence nor does it correspond to the Respondent's name (even if that is considered to be "H-R bureau").

Moreover, the Panel finds that the composition of the disputed domain name carries a risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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, regarding the registration in bad faith of the disputed domain name, the reputation of the Complainant's trademark BUREAU VERITAS in the field of testing, inspection, and certification services is clearly established, and the Panel finds that the Respondent must have known of the Complainant, and deliberately registered the disputed domain name in bad faith, especially because in the website at the disputed domain name some of the same services as the Complainant's services, namely validation (i.e., certification) services in the field of structural design and construction, are purportedly offered.

The Panel further notes that the effect is to attract Internet users to its website by creating likelihood of confusion with the Complainant's trademark as to the disputed domain name's source, sponsorship, affiliation, or endorsement, an activity clearly detrimental to the Complainant's business.

Finally, the Panel considers that the nature of the inherently misleading disputed domain name, which include the Complainant's trademark BUREAU VERITAS in its entirety with the mere addition of the term "india", namely the Respondent's country in which the Complainant is operating through a subsidiary, further supports a finding of bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The above suggests to the Panel that the Respondent intentionally registered and is using the disputed domain name in order both to disrupt the Complainant's business, and to attract Internet users to its website in accordance with paragraph 4(b)(iv) of the Policy.

Based on the available record, 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, <bureauveritasindia.com>, be transferred to the Complainant.

*/Edoardo Fano/*

**Edoardo Fano**

Sole Panelist

Date: February 18, 2025