

ADMINISTRATIVE PANEL DECISION

DP World FZE v. Antony R, NextChapter, Inc.
Case No. D2025-0373

1. The Parties

The Complainant is DP World FZE, United Arab Emirates, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Antony R, NextChapter, Inc. United Republic of Tanzania.

2. The Domain Name and Registrar

The disputed domain name <dpworlddsm.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 30, 2025. On January 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 3, 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 February 4, 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 February 12, 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 February 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 4, 2025. The Respondent sent email communications to the Center on February 12 and March 10, 2025. The Center informed the Parties that it would proceed with Panel Appointment on March 7, 2025.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on March 18, 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, DP World FZE, is one of the leading providers of smart logistics solutions. With beginnings in 1972 as a local port provider in Dubai, United Arab Emirates, the Complainant has now become an integral part of the supply chain, moving 10 percent of global trade through its seamless, interconnected global network of 500 business units in more than 74 countries across six continents that consist of ports and terminals, economic and free zones to logistics hubs and marine services.

The Complainant owns several trademark registrations for DP WORLD in various jurisdictions, including the following:

European Union Trademark Registration No. 009712415 for DP WORLD, registered on December 22, 2013, in classes 16, 25, 37 and 39;

Canadian Trademark Registration No. TMA725351 for DP WORLD, registered on October 6, 2008, in class 39;

Benelux Trademark Registration No. 789945 for DP WORLD, registered on January 25, 2006, in class 39.

The Complainant also has a trademark application in United Republic of Tanzania No. TZ/S/2024/581 DP WORLD, dated April 4, 2024, in class 39.

The Complainant also owns the domain name <dpworld.com>, created on March 26, 2002, which resolves to its primary website for the promotion of its products and services.

The disputed domain name was registered on June 20, 2024, and resolves to a webpage with links to third-party websites, some of which directly compete with the Complainant's business.

Before commencing this administrative proceeding, the Complainant sent a cease-and-desist letter to the Respondent requesting the transfer of the disputed domain name to the Complainant on September 18, 2024, which remained unanswered.

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 it has made significant investments over the years to advertise, promote and protect its DP WORLD trademark through various forms of media including the Internet. Based on its extensive use and trademark registrations, the Complainant owns the exclusive right to use the DP WORLD trademark.

In creating the disputed domain name, the Respondent has added the related term "dsm" to the Complainant's DP WORLD trademark, thereby making the disputed domain name confusingly similar to the Complainant's trademark. The fact that such term is closely linked to and associated with the Complainant's brand and trademark only serves to underscore and increase their confusing similarity. More specifically,

“dsm” stands as an abbreviation for “Dubai Demand Side Management”. The DSM Strategy was developed by the Dubai Supreme Council of Energy (DSCE) to make Dubai a leader in efficient management of electricity and water demand with an ambitious target of 30% reduction in energy and water consumption by 2030. In May 2024, the Complainant was recognized by the DSCE via the DSM Recognition Programme for its work in providing solar energy.

The Respondent is not sponsored by or affiliated with the Complainant in any way. The Complainant has not given the Respondent permission to use the Complainant’s trademarks in any manner, including the disputed domain name.

The Respondent is not commonly known by the disputed domain name, which evinces a lack of rights or legitimate interests.

The Respondent is using the disputed domain name to redirect Internet users to websites featuring links to third-party websites, some of which directly compete with the Complainant’s business. For instance, the website to which the disputed domain name resolves features multiple third-party links for “Warehousing” and “Container Transport”. Presumably, the Respondent receives pay-per-click fees from the linked websites that are listed at the disputed domain name’s website. As such, the Respondent is not using the disputed domain name to provide a bona fide offering of goods or services, nor a legitimate noncommercial or fair use as allowed under Policy.

The Respondent registered the disputed domain name on June 20, 2024, which is significantly after the Complainant filed for registration of its DP WORLD trademark. This registration date also falls significantly after the Complainant’s first use in commerce of its trademark in 1972.

The Respondent registered the disputed domain name to confuse unsuspecting Internet users looking for the Complainant’s services, and to mislead Internet users as to the source of the disputed domain name and website. By creating this likelihood of confusion between the Complainant’s trademark and the disputed domain name, leading to misperceptions as to the source, sponsorship, affiliation, or endorsement of the disputed domain name, the Respondent has demonstrated a nefarious intent to capitalize on the fame and goodwill of the Complainant’s trademark in order to increase traffic to the disputed domain name’s website for the Respondent’s own pecuniary gain, as evidenced by the presence of multiple pay-per-click links posted to the Respondent’s website.

The Complainant requests the Panel to issue a decision ordering that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

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 DP WORLD 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.

Although the addition of other terms here, “dsm” 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.

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 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.

The Panel is satisfied that the Respondent must have been aware of the Complainant’s trademark DP WORLD mentioned in section 4 above (Factual Background) when it registered the disputed domain name on June 20, 2024.

In accordance with section 3.1.4 of [WIPO Overview 3.0](#), the Panel considers that the inclusion of the Complainant’s DP WORLD trademark in the disputed domain name creates a presumption of bad faith registration.

The Respondent, when registering the disputed domain name, has targeted the Complainant’s business and its trademark DP WORLD with the intention to confuse Internet users and capitalize on the fame of the Complainant’s trademark for its own monetary benefit.

The fact that there is a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent’s choice of the disputed domain name is also a significant factor to consider that the disputed domain name was registered in bad faith (as stated in section 3.2.1 of the [WIPO Overview 3.0](#)).

In the present case, the Panel notes that the disputed domain name was used by the Respondent to confuse Internet users and lead them to think that the website to which the disputed domain resolves belong to or is sponsored by the Complainant, and thereby benefit from the fame and prestige of the Complainant's DP WORLD trademark.

The Panel finds that the requirements of paragraph 4(a)(iii) of the Policy have been fulfilled and that the Complainant has established the third element of the Policy.

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 <dpworlddsm.com> be transferred to the Complainant.

/Miguel B. O'Farrell/

Miguel B. O'Farrell

Sole Panelist

Date: March 24, 2025