

ADMINISTRATIVE PANEL DECISION

The George Washington University v. George Washington
Case No. D2025-1000

1. The Parties

Complainant is The George Washington University, United States of America (“United States”), represented by Wilkinson Barker Knauer, LLP, United States.

Respondent is George Washington, United States.

2. The Domain Name and Registrar

The disputed domain name <gwu-edu.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 12, 2025. On March 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 12, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 Respondent of the Complaint, and the proceedings commenced on March 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 3, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 7, 2025.

The Center appointed Timothy D. Casey as the sole panelist in this matter on April 14, 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 private university located in the Washington, D.C. area with over 25,000 students currently enrolled. Complainant is highly regarded as an education and research university. Complainant has used the GW trademark for educational services since 1905. Complainant has utilized the <gwu.edu> domain name for years prior to registration of the disputed domain name. Complainant has registrations for trademarks for or including GW as part of the mark (the “GW Marks”), including the following:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
GW	United States	25	1691680	June 9, 1992
THE GEORGE WASHINGTON UNIVERSITY	United States	25	1797902	October 12, 1993
GW	United States	41	1714292	September 8, 1992

The disputed domain name was registered on September 4, 2024. At the time of filing the Complaint, the disputed domain name resolved to webpage for which access was forbidden. Complainant also provided evidence indicating that multiple email addresses associated with the disputed domain name were used by or on behalf of Respondent to contact potential vendors of Complainant in an attempt to fraudulently obtain product from such vendors.

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 name.

Notably, Complainant contends that the GW Marks represent acronyms for George Washington University and that the university is commonly referred to as “GW”, “GWU”, and “GW University”.

Complainant contends the disputed domain name is confusingly similar to the GW Marks because: (1) the disputed domain name includes “GW” and “GWU”, which are the dominant and most recognizable portions of the GW Marks, and those portions are an abbreviation of “George Washington University”; (2) the dominant element of the disputed domain name and Complainant’s domain name is “GWU” followed by “edu”; and (3) the disputed domain name is a partial reproduction of the GW Marks and the addition of the generic term “edu” is not relevant when determining the first element of the Policy.

Complainant contends it has not authorized Respondent to use the GW Marks as marks or as part of the disputed domain name. Complainant contends that Respondent’s efforts to convince vendors to ship it goods that it does not intend to pay for is illegal and cannot confer rights or legitimate interests to Respondent. Complainant further contends Respondent’s knowing adoption of an infringing disputed domain name and subsequently fraudulent usage do not constitute bona fide offerings or establish legitimate interests in the disputed domain name. Complainant contends Respondent is not commonly known by the disputed domain name and is not making a legitimate non-commercial or fair use of the disputed domain name.

Complainant contends that Respondent registered and has used the disputed domain name in bad faith. This is evidenced by Respondent’s past use of multiple email addresses associated with the disputed domain name to obtain products from and to defraud potential vendors of Complainant. Complainant contends Respondent’s name and address used with the Registrar are false because George Washington died in 1799 and the address Respondent provided is actually Complainant’s address, both of which evidence bad faith. Complainant further contends that Respondent’s activities, including combining “gwu”

with “edu” in the disputed domain name, further evidence Respondent’s constructive, if not actual, knowledge of Complainant’s business and the GW Marks at the time of registration of the disputed domain name.

B. Respondent

Respondent did not reply to 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 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.

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 GW 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, the letter “u” and a hyphen followed by “edu”, 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 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off, phishing or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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, the Panel notes that Respondent used false information when registering the disputed domain name and proceeded to use the disputed domain name in an attempt to fraudulently lure potential vendors of Complainant's into delivering products without being paid for the same, all of which intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant's mark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off, phishing or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that 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 <gww-educ.com> be transferred to Complainant.

/Timothy D. Casey/

Timothy D. Casey

Sole Panelist

Date: April 28, 2025