

ADMINISTRATIVE PANEL DECISION

Palestine Children's Relief Fund, Inc. v. giggs law
Case No. D2025-1010

1. The Parties

The Complainant is Palestine Children's Relief Fund, Inc., United States of America ("United States"), represented by Flannery Georgalis, LLC, United States.

The Respondent is giggs law, China.

2. The Domain Name and Registrar

The disputed domain name <pcrf.foundation> 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 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 disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (GoDaddy.com, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 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 March 19, 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 March 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 19, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on April 28, 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 an organization located in the United States that provides free medical care to children who lack access to medical care within their local health care system.

The Complainant is the registered owner of the United States Trademark Registrations No. 6811450, registered on August 9, 2022, for PCRF (with Palestine Children's Relief Fund written below and additional figurative elements), and No. 6628268, registered on January 25, 2022, for PCRF as a word mark, both covering protection for charitable fundraising services for providing medical care for children as protected in class 36 and both indicating a first use in commerce on July 31, 2012.

The Complainant further owns and operates its official website at "www.pcrf.net".

The Respondent is reportedly located in China, whereas its true identity remains unclear due to seemingly false contact information.

The disputed domain name was registered on June 22, 2024.

According to the evidence provided in the Complaint, the disputed domain name resolves to a website which is nearly identical to the Complainant's official website. The associated website provides for numerous features that create the look and feel as if it is operated by the Complainant (which is not), such as the use of same text, design and color scheme and an overall same website format as used by the Complainant, including the prominent use of the Complainant's word and figurative PCRF trademarks. In addition, according to the case record, the associated website does not provide for any visible disclaimer describing the (lack of) relationship between the Parties. On the associated website, the Respondent allegedly calls for donations from Internet users pretending to be the Complainant.

The Complainant's counsel sent a cease-and-desist letter to the Respondent on March 17, 2025, but no action has been taken by the Respondent.

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.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

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

- (i) the disputed domain name is identical or confusingly similar to a trademark 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.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel might, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views stated therein.

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.

The Complainant has shown rights in respect of the PCRF trademark 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 identical to the PCRF mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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. Particularly, the Complainant put forward that the Respondent is neither an authorized partner of the Complainant nor a licensee of its PCRF trademark and that the Respondent is not commonly known by the term “pcrf” or any other similar terms. 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 Respondent has particularly failed to demonstrate any of the non-exclusive circumstances evidencing rights or legitimate interests under the Policy, paragraph 4(c) or other evidence of rights or legitimate interests in the disputed domain name. Bearing in mind that the disputed domain name resolves to a website reproducing the Complainant’s PCRF word and figurative trademark and creating the overall same look and feel of the Complainant’s official website, the Panel has no doubt that the Respondent was well aware of the Complainant and its PCRF trademark before registering and while using the disputed domain name. The Panel particularly notes that the inherently misleading nature of the disputed domain name along with the content of the associated website (which is virtually a reproduction of the Complainant’s official website) indicates the Respondent illegitimate intention to mislead Internet users in their believing that the website is operated or endorsed by the Complainant. The evidence provided in the Complaint clearly demonstrates the Respondent’s attempt to pass itself off as the Complainant and to ask for donations from misled Internet users to possibly its own bank account.

In view of the Panel, the Respondent’s attempt to impersonate the Complainant results in an illegitimate if not illegal use that 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.

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.

As already indicated above, the Panel notes that the Respondent was apparently well aware of the Complainant and its PCRF trademark when registering the disputed domain name. It is obvious to the Panel that the Respondent has deliberately chosen the disputed domain name, which is identical to the Complainant’s PCRF trademark, in combination with the generic Top-Level Domain “.foundation” (which is likely to further support an association with the Complainant and its charity services) to target the Complainant and mislead Internet users.

With respect to the use of the disputed domain name, the Panel notes that the inherently misleading disputed domain name resolves to a website pretending to be operated by the Complainant or at least with its authorization for illegitimate commercial gain.

Panels have held that the use of a domain name for illegitimate and/or illegal activity, here, claimed impersonation respectively passing off, and other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel concludes that the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds 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 <pcrf.foundation> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: May 12, 2025