

ADMINISTRATIVE PANEL DECISION

Palestine Children's Relief Fund, Inc. v. Jeanderson Ferreira
Case No. D2025-1208

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 Jeanderson Ferreira, Brazil.

2. The Domain Name and Registrar

The disputed domain name <pcrf-rescue.net> is registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 24, 2025. On March 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 26, 2025, the Registrar transmitted by email to the Center its verification response confirming that the 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 the Respondent of the Complaint, and the proceedings commenced on April 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 4, 2025.

The Center appointed Áron László as the sole panelist in this matter on May 8, 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 based in the United States, in California, that provides free medical care to children who do not have access to healthcare within their local system.

The Complainant owns the following trademarks:

- United States trademark PCRF PALESTINE CHILDREN'S RELIEF FUND (figurative) Reg. No. 6811450 registered on August 9, 2022;
- United States trademark PCRF (word) Reg. No. 6628268 registered on January 25, 2022.

Both trademarks are registered for charitable fundraising services for providing medical care for children.

The Complainant's official website is available under the domain name <pcrf.net>.

The disputed domain name was registered on October 24, 2024. The Respondent is a private individual residing in Brazil.

When the Complaint was filed, the website at the disputed domain name was available and being used for fundraising purposes. The website was almost an identical copy of the Complainant's official website by copying the Complainant's trademarks, pictures, icons, stories, programs, and contact details. By the time the Decision was made, however, the website was no longer available.

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 the disputed domain name is confusingly similar to the Complainant's trademarks, as it differs only slightly from these, and contains the entirety of the Complainant's registered trademark, PCRF.

Concerning the second element, the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has not provided any evidence that it uses the trademark in connection with a bona fide offering of goods or services. The disputed domain name is intended to mislead donors into falsely believing that the Respondent supports the cause. Furthermore, the Respondent is not commonly known by the disputed domain name.

The Complainant claims that the disputed domain name was registered and is being used in bad faith. The disputed domain name was registered in 2024, two years after the Complainant's trademarks were registered. "PCRF" is not a common acronym, and "Palestine Children's Relief Fund" is not a general term. By using "PCRF" in the disputed domain name, the Respondent intended to confuse potential donors. Furthermore, the fact that the disputed domain name was recently registered in the aftermath of the tragedies currently facing the people and children of Palestine is sufficient to warrant a finding of bad faith registration. The website available under the disputed domain name uses the Complainant's registered trademarks and attempts to copy the Complainant's website in its entirety, including the pictures, icons, stories and programs. The website accessible via the disputed domain name purports to offer or administer the same programs and products for children in Palestine as the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to decide a complaint based on the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Paragraph 4(a) of the Policy requires that a complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- i. the domain name registered by the respondent 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 domain name; and
- iii. the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel shall decide this administrative proceeding based on the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a), and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules.

The Panel may accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint wholly contains mere conclusory or unsubstantiated arguments. 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.

The Complainant has shown rights in respect of trademarks 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.

Although the addition of other terms, here "rescue", 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.

Panels have held that the use of a domain name for illegal activity, in this case, impersonating the Complainant to attempt to divert donations, 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 the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark (paragraph 4(b)(iv) of the Policy).

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

While it was available, the Respondent's website made heavy use of the Complainant's trademarks. It copied the main visual characteristics of the Complainant's website, including pictures and icons, and it also copied stories and programs. All of the contact details used on the Respondent's website were identical to those of the Complainant. It seems clear that the Respondent has registered and used the disputed domain name with the intention of diverting donors from the Complainant's website to their own and illegally collecting donations intended for the Complainant. The Panel believes that the Respondent intended to draw illegitimate profits from the dire situation in Palestine by impersonating the Complainant and diverting donations intended for the Complainant and its causes, given that the disputed domain name was registered recently, at a time when the already difficult humanitarian situation in Palestine was quickly deteriorating.

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-rescue.net> be transferred to the Complainant.

/Áron László/

Áron László

Sole Panelist

Date: May 22, 2025