

ADMINISTRATIVE PANEL DECISION

VFS Global Services PLC v. Svc Consultant, SVC consultant
Case No. D2025-1343

1. The Parties

The Complainant is VFS Global Services PLC, United Kingdom, represented by Aditya & Associates, India.

The Respondent is Svc Consultant, SVC consultant, India.

2. The Domain Name and Registrar

The disputed domain name <uk-vfsglobal.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 April 2, 2025. On April 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 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 (Registrant Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 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 April 8, 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 April 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 2, 2025.

The Center appointed Mario Soerensen Garcia 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 was established on July 10, 2001, and provides administrative and non-judgmental tasks related to visa application for its client Embassies and Foreign Missions, under the VFS mark. Its business is present in over 150 countries across the globe.

The Complaint and/or its group companies own registration of the marks VFS and VFS GLOBAL, as word per se, as well as in a distinctive figurative form/stylized manner in several countries around the world, including the following:

- Indian trademark VFS, registration number 1255698 of December 16, 2003, in class 35, for, inter alia, visa administration services; and
- Unites States of America device mark VFS. VFS. GLOBAL EST. 2001, registration number 5,694,062 of March 12, 2019, in classes 09, 16, 35, 38, 39, and 42 for, inter alia, administration of business engaged in providing full visa, passport and travel documents administration services.

In addition, VFS and VFS GLOBAL form an essential and integral part of the Complainant's corporate name and trading name.

The Complainant also owns the domain name <vfsglobal.com>, which was registered on February 23, 2005, by one of the group companies of the Complainant VF Worldwide Holdings Limited and corresponds to its official website.

The Respondent is reportedly located in India.

The disputed domain name was registered on May 12, 2024. The evidence submitted by the Complainant shows that the disputed domain name was used in connection with fraudulent e-mails impersonating the Complainant.

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 identical and/or confusingly similar to the Complainant's domain name and registered trademarks;
- the Complainant's trademark and domain name registrations predate the registration date of the disputed domain name;
- the Respondent has no justification as to the registration of the disputed domain name and registered it in bad faith, only to mislead the public and to obtain undue gain;
- the Respondent registered the disputed domain name to send fraudulent e-mails misrepresenting to the third parties that its business is an authorized service provider and/or associated/connected with the business carried on by the Complainant;
- the Respondent has no rights or legitimate interest in respect of the disputed domain name and the Complainant has not granted the Respondent any right, license, authorization or consent to use its trademarks;
- the Respondent has registered and is using the disputed domain name in bad faith. The use of the disputed domain name is in respect of visa issuance services focusing on Portugal, which allegedly falls in the same segment as the Complainant's services and causes absolute confusion as to the source of the services rendered;

- the Respondent must have been aware of the Complainant's services, prior rights, and interests with respect to Complainant's domain name and/or trademarks/trade name.

B. Respondent

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

6. Discussion and Findings

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 the trademarks or service marks 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. 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 VFS 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.

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 Complainant has showed evidence indicating that the disputed domain name was used in connection with fraudulent e-mails impersonating the Complainant. Thus, the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name. Rather, it appears the disputed domain name has been used for illegal purposes, which can never confer rights or legitimate interests upon the Respondent. Section 2.13.1 of the [WIPO Overview 3.0](#).

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 was aware of the Complainant and its registered trademarks when registered the disputed domain name, since it was used to create e-mail addresses from which the Respondent has sent fraudulent messages for commercial gain. Such behavior is sufficient to find a bad faith use of the disputed domain name.

Panels have held that the use of a domain name for illegal purposes, here fraudulent e-mails impersonating the Complainant, 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 constitute 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 <uk-vfsglobal.com> be transferred to the Complainant.

/Mario Soerensen Garcia/

Mario Soerensen Garcia

Sole Panelist

Date: May 20, 2025