

## **ADMINISTRATIVE PANEL DECISION**

SEADRILL MANAGEMENT LTD v. Jassen Terry, Swift Express  
Case No. D2025-1512

### **1. The Parties**

The Complainant is SEADRILL MANAGEMENT LTD, United Kingdom, represented by MarkMonitor Inc., United States of America ("United States").

The Respondent is Jassen Terry, Swift Express, Türkiye.

### **2. The Domain Name and Registrar**

The disputed domain name <seadrill.org> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 14, 2025. On April 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 15, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 16, 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 17, 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 13, 2025.

The Center appointed Alistair Payne as the sole panelist in this matter on May 16, 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**

Incorporated in 2005, the Complainant is an international offshore deep-water drilling company, providing worldwide offshore drilling services to the oil and gas industry. As of December 31, 2024, the Complainant and its corporate group owned a total of 15 drilling units, and managed two drilling units owned by a third party, employing approximately 3,300 employees across the globe. Its total operating revenues for 2024 amounted to USD 1.38 billion. The Complainant owns a number of trade mark registrations for its SEADRILL and logo mark including International Trade mark Registration No. 998763 registered on January 22, 2009 and designating various countries including the United States and trade mark registration No. UK00800998763 in the United Kingdom registered on April 12, 2010. It also owns the <seadrill.com> domain name, registered since May 23, 2005, from which it operates its principal website.

The disputed domain name was registered on July 3, 2024 and prior to the filing of this Complaint resolved to a website which featured the Complainant's SEADRILL mark and a similar logo and corporate details and offered industrial resources and oil exploration services.

#### **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 owns registered trade mark rights for its SEADRILL trade mark as noted above and that this mark is wholly incorporated into the disputed domain name and that the disputed domain name is identical to it.

The Complainant submits that the Respondent is not affiliated with the Complainant in any way and has not been authorised by the Complainant to use and register its SEADRILL trade mark or to seek registration of any domain name incorporating that mark. The Complainant says that it has never concluded any agreement, given any licence, or otherwise authorised or allowed the Respondent to use its SEADRILL trade mark in any way. The Complainant also notes that to the best of its knowledge, the Respondent has not been commonly known by the name "SEADRILL" and that it is not familiar with any trade mark registrations made by the Respondent for SEADRILL trade marks.

It further submits that the Respondent did not demonstrate use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor can it be inferred that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name. The Complainant notes that when it became aware of the disputed domain name it resolved to an active website that impersonated the Complainant and which misleads Internet users and does not amount to a bona fide offering of goods or services.

The Complainant also notes that the Respondent has concealed its contact details, in particular that the street address has not been provided and there is only a reference to a city, and that the telephone number is obviously false, as it includes the "1234567" string. The Complainant submits that providing such false contact information is among the relevant factors weighed by panels when judging whether a respondent's use of a domain name constitutes a legitimate fair use (see section 2.5.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#))).

Finally, says the Complainant, even the current lack of use of the disputed domain name should not be observed as legitimate use, since there appears to be no legitimate reason for the Respondent to register the Complainant's well-known SEADRILL trade mark in the disputed domain name. The nature of the disputed domain name, which is identical to the Complainant's trade mark, is inherently misleading as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. It submits that a high risk of implied affiliation is amongst the core factors that UDRP panels look at when assessing a respondent's fair use of a disputed domain name (see section 2.5.3 of the [WIPO Overview 3.0](#)).

As far as registration in bad faith is concerned, the Complainant says that it is highly implausible that the Respondent was unaware of the Complainant and of its SEADRILL mark when it registered the disputed domain name in circumstances that the Complainant's mark is widely known and in any event also that the disputed domain name resolved to a webpage that impersonated the Complainant. This, says the Complainant, confirms that the Respondent was well aware of the Complainant and its prior rights when it registered the disputed domain name. Also, notes the Complainant, a quick search for SEADRILL trade marks would have revealed to the Respondent the existence of the Complainant and its trade marks and a Google search would have revealed the Complainant's business and history and international activities.

Overall, the Complainant submits that the Respondent registered the disputed domain name opportunistically and for its own commercial gain. It says that in circumstances that the disputed domain name is identical to the Complainant's SEADRILL trade mark that a likelihood of confusion should be presumed, and that such confusion will inevitably result in the diversion of Internet traffic from the Complainant's site to the Respondent's site.

It also submits that, under paragraph 4(b)(iv) of the Policy, the Respondent used the disputed domain name to resolve to a webpage that imitates the Complainant's website. It says that the Respondent's actions demonstrate that the registration of the disputed domain name was made primarily with an intention to attract, for commercial gain, Internet users to the website by creating a likelihood of confusion with the Complainant's trade mark as to the source, sponsorship, affiliation, or endorsement of its website or of the products on its website.

According to the Complainant, the fact that the disputed domain name subsequently resolves to an inactive webpage after being placed on "clientHold" status by the Registrar following the Complainant's complaint and request to the Registrar of February 18, 2025, does not preclude a finding of bad faith. It suggests that this amounts to a passive holding and fulfills the requirements generally identified by UDRP panels as fulfilling the passive holding doctrine.

The Complainant also submits that it is likely that the Respondent registered the disputed domain name in order to prevent the Complainant from using its SEADRILL trade mark in the disputed domain name and especially to prevent the Complainant from registering a domain name corresponding to its trade mark and company name within the ".org" generic Top-Level Domain ("gTLD").

The clear inference that can be drawn from the Respondent's conduct, says the Complainant, is that it is trying to benefit from the fame of the Complainant's trade mark and that its primary motive in registering and using the disputed domain name was to capitalise on or otherwise take advantage of the Complainant's trade mark rights which is indicative of use in bad faith.

## **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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Although the Complainant's trade mark registrations are combined word and logo mark registrations, their most prominent and dominant portion is the SEADRILL textual element.

The entirety of the textual element of the Complainant's SEADRILL mark is reproduced within the disputed domain name and there is no other element prior to the ".org" gTLD. Accordingly, the disputed domain name is identical to the Complainant's 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.

The Complainant has submitted that the Respondent is not affiliated with the Complainant in any way and has not been authorised by the Complainant to use and register its SEADRILL trade mark or to seek registration of any domain name incorporating that mark. The Complainant has asserted that it has never concluded any agreement, given any licence, or otherwise authorised or allowed the Respondent to use its SEADRILL trade mark in any way. The Complainant has also noted that to the best of its knowledge, the Respondent has not been commonly known by the name "seadrill" and that it is not familiar with any trade mark registrations made by the Respondent for SEADRILL trade marks.

The Complainant has further submitted that the Respondent did not demonstrate use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor could it be inferred that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name. The Complainant has noted that when it became aware of the disputed domain name it resolved to an active website which impersonated the Complainant and misled Internet users and which in no circumstances amounted to a bona fide offering of goods or services.

The Complainant has also noted that the Respondent has concealed its contact details, in particular that the street address has not been provided and there is only a reference to a city, and that the telephone number is obviously false, as it includes the "1234567" string. The Complainant has submitted that providing such false contact information points to illegitimate use and not to legitimate fair use.

The Complainant has also submitted that the current lack of use of the disputed domain name should not be observed as legitimate use, since there appears to be no legitimate reason for the Respondent to register the Complainant's well-known SEADRILL trade mark in the disputed domain name. It has asserted that the use of the disputed domain name is in the circumstances inconsistent with the Respondent having rights or legitimate interests in the disputed domain name.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name in July 2024 many years after the registration of the Complainant's SEADRILL trade marks. The Complainant uses the SEADRILL marks in various countries and it appears to be well reputed. The Complainant's interest and rights in the SEADRILL mark could no doubt have been identified by the Respondent undertaking a simple Internet search. In circumstances that prior to filing of this Complaint the disputed domain name resolved to a website which featured the Complainant's mark, a similar logo and contact address and appeared as if it belonged to or was authorised by the Complainant there is a very strong inference that the Respondent was well aware of the Complainant's SEADRILL trade mark and business when it registered the disputed domain name.

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.

This is a case in which it appears that the Respondent has targeted the Complainant by using the disputed domain which is identical to the Complainant's SEADRILL mark to resolve to a website that masquerades as if it is the Complainant's website.

Under paragraph 4(b)(iv) of the Policy there is evidence of registration and use of the disputed domain name in bad faith where a respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website.

While seemingly after the Complainant's request to the Registrar to remove the page the disputed domain name resolved to an error page, prior to that time the disputed domain name resolved to a website which used the Complainant's mark, a similar logo and corporate details without its authority and offered the same services as the Complainant. Internet users could easily have been confused into thinking that they had been re-directed to the Complainant's website when they were in reality on the Respondent's website.

This amounts to use of the disputed domain name to intentionally attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website and it is more likely than not that this was undertaken for the Respondent's ultimate commercial gain which fulfills the requirements of paragraph 4(b)(iv) of the Policy.

The fact that the Respondent appears to have provided incomplete address details and the fact that in the overall circumstances it attempted to mask its true identity by using a privacy service, only reinforces the Panel's view of the Respondent's registration and use of the disputed domain name in bad faith.

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 <seadrill.org> be transferred to the Complainant.

*/Alistair Payne/*

**Alistair Payne**

Sole Panelist

Date: May 30, 2025