

## **ADMINISTRATIVE PANEL DECISION**

Chambre de Commerce Internationale v. Host Master, Njalla Okta LLC  
Case No. D2025-1629

### **1. The Parties**

Complainant is Chambre de Commerce Internationale, France, represented by Fidal, France.

Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

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

The disputed domain name <icc-chamber.com> is registered with Tucows Domains Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 23, 2025. On April 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 24, 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 (TUCOWS, INC) and contact information in the Complaint. The Center sent an email communication to Complainant on April 25, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 25, 2025.

The Center verified that the Complaint together with the amendment to 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 May 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 22, 2025.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on June 3, 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 an international business organization established under the laws of France that represents the interests of enterprises from all business sectors worldwide.

Complainant has provided evidence that it is the registered owner of various trademarks relating to its English company name and brand “International Chamber of Commerce (ICC)”, including, but not limited to, the following:

- word/device trademark ICC INTERNATIONAL CHAMBER OF COMMERCE, International registration (World Intellectual Property Organization), registration number: 590125, registration date: August 10, 1992, status: active;
- word/device trademark ICC, International registration (World Intellectual Property Organization), registration number: 1235263, registration date: July 29, 2014, status: active.

Moreover, Complainant has demonstrated to own a vast number of domain names relating to its ICC trademark, inter alia, since 1996 the domain name <iccwbo.org> which resolves to Complainant’s main website at “www.iccwbo.org”, used to promote Complainant’s business services internationally.

Respondent, according to the registrar verification, is located on Saint Kitts and Nevis. The disputed domain name was registered on February 9, 2025; it resolves to a website at “www.icc-chamber.com” which reproduces substantial parts of Complainant’s official website including Complainant’s official ICC trademark and logo as well as the blue/white color scheme.

Complainant requests that the disputed domain name be transferred to Complainant.

#### **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 it was founded back in 1919, today representing over 6 million members in more than 100 countries worldwide, and so has meanwhile gained reputation and a well-known status.

Complainant submits that the disputed domain name is confusingly similar to Complainant’s ICC trademark, as it reproduces the dominant and distinctive element of Complainant’s ICC trademark entirely and identically, and the association with the word “chamber” emphasizes confusion therewith. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Complainant has not authorized, licensed, permitted or otherwise consented to Respondent’s use of its ICC trademark in the disputed domain name and has no relationship with Respondent, and (2) the disputed domain name resolves to an active website which is completely fraudulent. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the disputed domain name leads to an active website which refers to Complainant’s ICC trademark for identical activities without Complainant’s authorization and also reproduces the blue/white color scheme of Complainant’s well-known official website, (2) the content of the website under the disputed domain name contains fake tabs which are not working while clicking on, such as “Privacy Policy” and “Terms of Service”, (3) in light of the reputation of Complainant and the scope of its operations, it is obvious that Respondent had

knowledge of both Complainant and its ICC trademark at the time the disputed domain name was registered, and (4) Respondent is deliberately using the identity of Complainant and reproduces its website to create confusion in order to give credibility to Respondent's scams and phishing operations.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

### **A. Identical or Confusingly Similar**

First, 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 ICC 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 its ICC trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Also, the entirety of the word element of such trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to Complainant's ICC trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Although the addition of other terms (here, the term "chamber") 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 Complainant's ICC trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel, therefore, holds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

Second, 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.

In particular, Respondent has not been authorized to use Complainant's ICC trademark, either as a domain name or in any other way. Also, there is no reason to believe that Respondent's name somehow corresponds with the disputed domain name and Respondent does not appear to have any trademark rights associated with the term "icc" on its own. Quite to the contrary, the disputed domain name resolves to a website at "www.icc-chamber.com" which reproduces substantial parts of Complainant's official website including Complainant's official ICC trademark and logo as well as the blue/white color scheme, without any authorization to do so, thereby creating the impression that such website derives from Complainant which it obviously does not. Such use of the disputed domain name constitutes a clear impersonation of Complainant, presumably for some unlawful purpose, and, thus, neither qualifies as bona fide nor as legitimate noncommercial or fair within the meaning of paragraph 4(c) of the Policy. In this context, panels have long held that the use of a domain name for illegitimate activity (here: Complainant's impersonation/passing off by Respondent for some unlawful purpose) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel, therefore, finds the second element of the Policy has been established, too.

### **C. Registered and Used in Bad Faith**

Third, 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.

The circumstances to this case leave no doubts that Respondent was fully aware of Complainant's rights in its ICC trademark when registering the disputed domain name and that the latter is clearly directed thereto. Moreover, using the disputed domain name to resolve to a website at "www.icc-chamber.com" which reproduces substantial parts of Complainant's official website including Complainant's official ICC trademark and logo as well as the blue/white color scheme, without any authorization to do so, thereby creating the impression that such website derives from Complainant which it obviously does not, is a clear indication that Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with Complainant's ICC trademark as to the source, sponsorship, affiliation or endorsement of Respondent's website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. Also, UDRP panels have long held that the use of a domain name for illegitimate activity (here, Complainant's impersonation/passing off by Respondent) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

The Panel, therefore, finds that Complainant has established the third element of the Policy, too.

## **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, <icc-chamber.com>, be transferred to Complainant.

*/Stephanie G. Hartung/*

**Stephanie G. Hartung**

Sole Panelist

Date: June 17, 2025