

## **ADMINISTRATIVE PANEL DECISION**

Chubb INA Holdings Inc. v. Katarzyna Bieniek  
Case No. D2025-1693

### **1. The Parties**

The Complainant is Chubb INA Holdings Inc., United States of America (US), represented by Fish & Richardson P.C., US.

The Respondent is Katarzyna Bieniek, Poland.

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

The disputed domain name <wwwchubb.com> (the “Domain Name”) is registered with Above.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 25, 2025. On April 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On May 1, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Name which differed from the named Respondent (UNKNOWN) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 1, 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 May 5, 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 May 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 3, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on June 11, 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 to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant offers insurance to a diverse client base. It has operations in 54 countries. Its parent company, Chubb Limited, trades on the New York Stock Exchange. The Complainant has a global workforce of approximately 40,000.

The Complainant, through its predecessors in interest, has used the CHUBB mark for insurance services since 1882. The Complainant owns numerous trademark registrations around the world, such as US trademark no. 1729813 (registered November 3, 1992). The Complainant owns also numerous domain name registrations, such as <chubb.com> and <chubbinsurance.com> registered in 1995 and 1999, respectively.

The Domain Name was registered on June 19, 2003. The Complainant has documented that the Respondent has used the Domain Name to link to pay-per-click links some of which reference the Complainant and to redirect to various third-party sites distributing malware.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant argues common law rights and provides evidence of trademark registrations. The Complainant contends that the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name incorporates the Complainant's entire trademark with the addition of "www". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant asserts that the Respondent is not affiliated with the Complainant. The Respondent is not commonly known by the Domain Name. The Respondent's use of the Domain Name does not constitute a legitimate noncommercial or fair use. The Domain Name has resolved to a parked page with pay-per-click advertisement or malicious webpages. This is not bona fide use pursuant to the Policy.

The Complainant believes that the Respondent was aware of the Complainant when the Respondent registered the Domain Name. The Complainant's trademark is well known. The Respondent's awareness of the Complainant's trademarks is further confirmed by the deliberate misspelling in the Domain Name. Moreover, the Respondent's use of the Domain Name - to profit from pay-per-click links and distribution of malware - constitutes bad faith evidence. Finally, the Respondent has been engaged in a pattern of bad faith practices regarding registration and use under the Policy as the Respondent has been at the losing end of at least one other UDRP dispute.

##### **B. Respondent**

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

## **6. Discussion and Findings**

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

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 Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has established that it has rights in the trademark CHUBB. In this case, the Domain Name incorporates the Complainant's trademark with the additions of "www". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain, see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the use of the Domain Name is rather evidence of bad faith, as discussed below. The Panel finds also that the composition of the Domain Name signals the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the dispute domain name.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

### **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.

The Respondent most likely knew of the Complainant when it registered the Domain Name. It follows from the fame of the Complainant and the composition of the Domain Name. The Respondent has not offered any explanation as to why it registered a domain name confusingly similar to the Complainant's trademark, nor provided any evidence of actual or contemplated good faith use of the Domain Name. On the contrary, the Respondent's use is evidence of bad faith use. Moreover, as additional evidence of bad faith, the

Respondent has employed a similar composition of a domain name combining “www” and a trademark at least once before, see *CVS Pharmacy, Inc. v. Domain Admin, Whois Privacy Corp./ Katarzyna Bieniek*, WIPO Case No. [D2022-2330](#).

Based on the available record, 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 the Domain Name <wwwchubb.com> transferred to the Complainant.

*/Mathias Lilleengen/*

**Mathias Lilleengen**

Sole Panelist

Date: June 19, 2025