

ADMINISTRATIVE PANEL DECISION

Rape Abuse & Incest National Network (RAINN) v. Yew Rosing Case No. D2025-1884

1. The Parties

Complainant is Rape Abuse & Incest National Network (RAINN), United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

Respondent is Yew Rosing, United States.

2. The Domain Name and Registrar

The disputed domain name <rainnusa.org> (hereinafter “Disputed Domain Name”) is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On May 13, 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 Protect, LLC, PrivacyProtect.org) and contact information in the Complaint. The Center sent an email to Complainant on May 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on May 14, 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 Respondent of the Complaint, and the proceedings commenced on May 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on June 5, 2025.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on June 12, 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 Rape, Abuse & Incest National Network, which uses the acronym RAINN as a service mark (hereinafter the “Mark”), is an organization in the United States that offers support services to victims of sexual violence. Founded in 1994 by Scott Berkowitz, Complainant provides free, confidential support to victims of sexual violence, including a telephone hotline and online chat, both of which are available 24/7.

Complainant also provides a wide range of additional programs aimed at preventing sexual violence, supporting survivors, and assisting law enforcement. Complainant collaborates with over 1,000 local sexual assault service providers across the country, ensuring that survivors have access to the resources they need.

Complainant owns the domain name <rainn.org> from which it operates its primary website.

Complainant has a significant presence on social-media platforms, including, for example, 140,000 followers on Facebook, 68,000 followers on X, and 18,000 followers on LinkedIn.

Complainant owns two trademark registrations:

- United States Trademark Registration No. 5668677, (registered February 5, 2019) for RAINN.
- United States Trademark Registration No. 2121739 (registered on December 16, 1997), for RAINN RAPE, ABUSE & INCEST NATIONAL NETWORK plus a design-design.

The Disputed Domain Name was registered September 13, 2024. It resolves to an inactive web page. At Complainant’s request, the Registrar placed a hold on the Disputed Domain Name. The Complainant has provided evidence of use of the disputed domain name for a purported phishing scheme.

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 the Disputed Domain Name has been used in connection with a phishing scheme. Specifically, Complainant submits evidence that the Disputed Domain Name has been used to create an email address that impersonates RAINN’s Finance Operations Officer. The emails have the form “[redacted name of Complainant’s employee]@rainnusa.org”. Emails have been sent from the impersonating email address to at least one of RAINN’s consulting services clients, requesting payment of fictitious invoices.

B. Respondent

Respondent did not respond to the Complaint.

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 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.

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 Mark is reproduced and recognizable within the Disputed Domain Name. Although the addition of other terms, here "usa," may bear on assessment of the second and third elements, the Panel finds the addition of "usa" 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

Although the overall burden of proof in UDRP proceedings is on 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.

Panels have held that the use of a domain name for illegal activity, here, phishing and impersonation/passing off, 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

Panels have held that the use of a domain name for phishing and impersonation/passing of Complainant constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy. Respondent's impersonation of the email format used by Complainant (which incorporates Complainant's Mark) is a clear indication that Respondent was aware of and targeted Complainant and its trademark rights when Respondent registered the Disputed Domain Name. Use of the Disputed Domain Name in an email address to send fraudulent invoices is bad faith use under the Policy.

The Panel finds that 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 <rainnusa.org> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: June 17, 2025