

ADMINISTRATIVE PANEL DECISION

Guillaume Pousaz, Pousaz Philanthropies Foundation v. Bright Akpan
Case No. D2025-2336

1. The Parties

The First Complainant is Guillaume Pousaz, United Kingdom, and the Second Complainant is Pousaz Philanthropies Foundation, Jersey, United Kingdom, represented by Venner Shipley LLP, United Kingdom.

The Respondent is Bright Akpan, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <guilleaumpousazinitiative.com> 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 June 13, 2025. On June 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 17, 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 (Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainants on June 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on June 19, 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 June 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 24, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on July 26, 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 First Complainant is the founder and Chief Executive Officer of a global payment service provider, which was established in 2008 and valued at USD 40 billion in 2022. Together with his wife, the First Complainant established the Second Complainant in 2022, which is a charitable foundation focusing on supporting the safety and education of children worldwide.

The Second Complainant is the registered owner of the POUSAZ PHILANTHROPIES trademark, which is protected by way of the United Kingdom Trademark Registration No. 00003894460, registered on June 30, 2023, and the United States of America Trademark Registration No. 7763016, registered on April 15, 2025, both covering protection for various charitable services as covered in classes 35, 36 and 41.

The Respondent is reportedly located in Nigeria.

The disputed domain name was registered on September 25, 2024.

According to provided screenshots in the Complaint, the disputed domain name resolved to a website which purported to be the website of an Italian restaurant called “Bbh hh”. According to undisputed evidence submitted by the Complainants, the website contained a number of errors and faulty pages, including non-working buttons and links to non-existing social media accounts.

At the time of the Decision, the disputed domain name does not resolve to an active website anymore.

5. Parties’ Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainants’ contentions.

6. Discussion and Findings

6.1. Consolidation of Complainants

The Panel notes that the Complainants are closely linked to each other, particularly as the Second Complainant was founded by the First Complainant. Furthermore, the Second Complainant shares the First Complainant’s personal surname, which is a distinctive part of its POUSAZ PHILANTHROPIES trademark. This constitutes a specific common grievance of the Complainants against the Respondent. It is in view of the Panel fair and equitable in the circumstances of the case to order the consolidation as requested (section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”)).

Consequently, the Panel accepts the First and Second Complainants in this administrative proceeding and, for the ease of reference, will jointly refer to them as “the Complainant” in the following, whenever appropriate.

6.2. Substantive Issues

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

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 a trademark 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.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See section 4.3 of the [WIPO Overview 3.0](#).

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.0](#), and, where appropriate, will decide consistently with the consensus views stated therein.

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 the POUSAZ PHILANTHROPIES trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

As the dominant part of the POUSAZ PHILANTHROPIES trademark, namely the First Complainant's surname "Pousaz", is reproduced within the disputed domain name, the Complainant's POUSAZ PHILANTHROPIES trademark is recognizable therein. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here "guillaume" (which is the first name of the First Complainant) and "initiative", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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

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.

Even more and bearing in mind that the website initially associated to the disputed domain name was apparently a fake website for a non-existing Italian restaurant, the Panel cannot exclude that the disputed domain name may have been used or will be used in connection with possibly fraudulent or illegitimate activities by the Respondent. Noting that the disputed domain name is confusingly similar to the Complainant's POUSAZ PHILANTHROPIES trademark without any conceivable reason and justification for the use of also the First Complainant's name and surname, the Panel has no doubt that the Respondent's intent is to create confusion with the Complainant, which in view of the Panel results in an illegitimate use that can never confer rights or legitimate interests upon the Respondent.

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.

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.

In the present case, the Panel notes that the Respondent must have had the Complainant and the POUSAZ PHILANTHROPIES mark in mind when registering the disputed domain name, particularly considering the composition of the disputed domain name, which comprises the First Complainant's name and surname in its entirety and is also confusingly similar to the Second Complainant's POUSAZ PHILANTHROPIES trademark. It is obvious to the Panel that the Respondent has deliberately chosen the disputed domain name to target the Complainant.

As regards bad faith use, the Panel notes that the disputed domain name initially resolved to an apparently fake website of a non-existing Italian restaurant. The Panel further notes that the nature of the disputed domain name, which comprises the First Complainant's name and surname and the Second Complainant's POUSAZ PHILANTHROPIES trademark creates a real or implied ongoing threat to the Complainant, since the disputed domain name, even if currently not resolving to an active website anymore, may be used by the Respondent to mislead Internet users looking for the Complainant into believing it is associated with the Complainant, for example in a false belief that an email sent from the disputed domain name originates from the Complainant. Such use indicates the Respondent registered and is using the disputed domain name in bad faith.

All in all, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. The Panel is even convinced that this is a typical cybersquatting case, which the UDRP was designed to stop.

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 <guillaumepousazinitiative.com> be transferred to the Complainants.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: August 9, 2025