

## ADMINISTRATIVE PANEL DECISION

### Guillaume Pousaz, Pousaz Philanthropies Foundation v. Name Redacted Case No. D2025-2338

#### 1. The Parties

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

The Respondent is Name Redacted.<sup>1</sup>

#### 2. The Domain Name and Registrar

The disputed domain name <guillaumepousazfdn.org> is registered with GoDaddy.com, LLC (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 16, 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 (Registration Private, Domains By Proxy, LLC) 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 amendment to the Complaint on June 19, 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").

---

<sup>1</sup> The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. The Respondent did not submit any formal response. On July 9, 2025, the Center received an email communication from a third party. Accordingly, the Center notified the Parties of the commencement of the panel appointment process 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 disputed domain name was registered on December 12, 2024.

The disputed domain name does not directly resolve to an active website. However, as evidenced by the Complainants, the disputed domain name has been used as part of a subdomain, namely “pay.guillaumepousazfdn.org”, purporting to be a website of a foundation and requesting payment details from Internet users for alleged donations. That website prominently uses the names “Guillaume” and “Pousaz” without providing for any visible disclaimer describing the (lack of) relationship between the Parties.

#### **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 “fdn” (which is a common abbreviation for “foundation”), 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.

Moreover, the Panel particularly notes that the disputed domain name is used by the Respondent to mislead Internet users into believing that a website associated to the subdomain of the disputed domain name is operated or endorsed by the Complainant. The evidence provided in the Complaint clearly demonstrates the Respondent’s attempt to pass itself off as the Complainant and to ask for donations and personal data from misled Internet users.

In view of the Panel, the Respondent’s attempt to impersonate the Complainant results in an illicit use that can never confer rights or legitimate interests upon the Respondent. [WIPO Overview 3.0](#), section 2.13.

Bearing all this in mind, the Panel does not see any basis for assessing a bona fide offering of goods or services by 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 was well aware of the Complainant and the POUSAZ PHILANTHROPIES mark 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.

With respect to the use of the disputed domain name, the Panel notes that the disputed domain name is utilized as part of a subdomain, which resolves to a website asking for donations and/or personal data, falsely pretending to be operated by the Complainant or at least with its authorization for illegitimate commercial gain.

Panels have held that the use of a domain name for illegitimate and/or illegal activity, here, claimed impersonation respectively passing off, and other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

The Panel therefore concludes that the disputed domain name was registered and is being used in bad faith. 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 <guillaumepousazfdn.org> be transferred to the Complainants.

*/Kaya Köklü/*

**Kaya Köklü**

Sole Panelist

Date: August 9, 2025