

ARBITRATION AND MEDIATION CENTER

## ADMINISTRATIVE PANEL DECISION

LinkedIn Corporation v. WeXin QQ Case No. D2025-2447

#### 1. The Parties

The Complainant is LinkedIn Corporation, United States of America ("United States" or "U.S."), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is WeXin QQ, China.

#### 2. The Domain Name and Registrar

The disputed domain name < linkedin999.com > 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 20, 2025. On June 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 20, 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 Complainant on June 22, 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 amendment to the Complaint on June 23, 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 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 21, 2025.

The Center appointed Rodrigo Velasco Santelices as the sole panelist in this matter on July 24, 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 Complainant states that became a public company on May 18, 2011, and traded on the New York Stock Exchange under the symbol "LNKD" until the Complainant was acquired by Microsoft Corp.

Presently, the Complainant has 18,400 full-time employees with 38 offices in cities around the world and operates websites in 36 languages.

Founded in 2003, LinkedIn Corporation connects the world's professionals to make them more productive and successful. With more than 1 billion members in more than 200 countries and territories, including executives from every Fortune 500 company, the Complainant is one of the world's largest professional network on the Internet.

Further, the Complainant is the registrant of numerous domain names, including linkedin.com>, which was registered on November 2, 2002, and which it uses in connection with its primary website.

Furthermore, the Complainant (or an affiliate) is the owner of at least 318 trademark registrations in at least 71 jurisdictions worldwide that consist of or include the mark LINKEDIN.

Among many others, the Complainant's registrations for the LINKEDIN Trademark include the following:

- U.S. Reg. No. 3,074,241 for LINKEDIN for use in connection with, inter alia, "online business networking services" (registered March 28, 2006)
- U.S. Reg. No. 4,007,079 for LINKEDIN for use in connection with, inter alia, "social introduction and social networking services" (registered August 2, 2011)
- European Union Intellectual Property Office (EUIPO) Reg. No. 004183893 for LINKEDIN for use in connection with, inter alia, "online business and professional networking services" (registered July 24, 2006)
- International Reg. No. 1368414 for LINKEDIN for use in connection with, inter alia, "educational services" (registered April 27, 2017)

The Respondent registered the disputed domain name on April 12, 2024; and is using it in connection with a pay-per-click ("PPC") or monetized parking page that includes links for various services. According to the Complaint, at least seven security vendors have reported that the disputed domain name is being used in connection with phishing or malicious activities, according to a report from a service that analyzes files and Uniform Resource Locators ("URLs") for viruses, worms, trojans and other kinds of malicious content.

#### 5. Parties' Contentions

## A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that is the owner of the registered trademark LINKEDIN so it cannot be questioned that the disputed domain name is confusingly similar to the trademark LINKEDIN in which the

Complainant has rights. The relevant comparison to be made is with the second-level portion of the disputed domain name only (i.e., "linkedin999"), as it is well-established that the Top- Level Domain ("gTLD", i.e., ".com") may be disregarded for this purpose.

The second-level portion of the disputed domain name contains the LINKEDIN trademark in its entirety, plus the number "999". As set forth in WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 1.7: "In cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing."

The inclusion of the number "999" in the disputed domain name does nothing to alleviate confusing similarity for purposes of the Policy, because "[w]here the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element." WIPO Overview 3.0, section 1.8. Indeed, previous panels have found that domain names containing a complainant's trademark plus the number "999" – as is the case here – are confusingly similar to the trademark. See, e.g., Novartis AG v. 陈口 (Chen Han), WIPO Case No. D2024-5053 (finding <kisqali999.online> confusingly similar to KISQALI); Newcote International Limited v. Ke Lei, WIPO Case No. D2017-0527 (finding <br/>betvictor999.com> confusingly similar to BETVICTOR); eBay Inc. v. Du Hongxia/Liu Yujiao/WHOIS AGENT, DOMAIN WHOIS PROTECTION SERVICE, WIPO Case No. D2014-2015 (finding <ebay999.net> confusingly similar to EBAY).

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. To the Complainant's knowledge, the Respondent has never been commonly known by the disputed domain name and has never acquired any trademark or service mark rights in the disputed domain name.

Finally, the Complainant claims that the Respondent registered and is using the disputed domain name in bad faith.

## **B.** Respondent

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

## 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 the Complainant's trademark and the disputed domain name. WIPO Overview 3.0, section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. <u>WIPO Overview 3.0</u>, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

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. Furthermore, the Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. WIPO Overview 3.0, section 2.5.1.

The Panel notes that security vendors have reported that the disputed domain name is being used in connection with phishing or malicious activities. Panels have held that the use of a domain name for illegitimate activity such as phishing, here claimed as applicable to this case, can never confer rights or legitimate interests on a Respondent. WIPO Overview 3.0, section 2.13.1.

The Panel also finds that the Respondent's use of the disputed domain name to display PPC links capitalize on the reputation and goodwill of the Complainant's mark, and therefore are likely to confuse Internet users. WIPO Overview 3.0, section 2.9.

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.

In the present case, the Complainant's trademarks were registered several years prior to the registration of the disputed domain name. Trademark LINKEDIN is well known. Therefore, the Respondent knew or should have known the Complainant's trademark when registering the disputed domain name. That fact cannot be a simple coincidence.

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. <u>WIPO Overview 3.0</u>, section 3.2.1.

The disputed domain name resolves to a parking page displaying PPC links to third-party services and it has been reported as being used in connection with phishing or malicious activities. The Panel finds the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's LINKEDIN trademark as to the source, sponsorship, affiliation, or endorsement of the disputed domain name, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

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 linkedin999.com> be transferred to the Complainant.

/Rodrigo Velasco Santelices/ Rodrigo Velasco Santelices Sole Panelist Date: August 7, 2025