

ADMINISTRATIVE PANEL DECISION

Mena Speakers L.L.C v. Talal Abdulkarim
Case No. D2026-3650

1. The Parties

The Complainant is Mena Speakers L.L.C, United Arab Emirates, internally represented.

The Respondent is Talal Abdulkarim, United States of America ("United States"), represented by John Berryhill, Ph.d., Esq., United States.

2. The Domain Name and Registrar

The disputed domain name <menaspeakers.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 14, 2026. On August 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 17, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. On September 11, 2026, the Respondent sent an email communication to the Center. The Center sent an email communication to the Complainant on September 11, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on September 14, 2026, and an amendment to the Complaint on September 16, 2026, and sent a further communication on September 17, 2026.

The Center verified that the Complaint together with the amendment to the Complaint and 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 September 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2026. On September 17, 2026, the Respondent requested the automatic four-day extension for Response under paragraph 5(b) of the Rules. On the same day, the Center confirmed that the Respondent's extension request was granted and that the new Response due date was October 11, 2026. The Response was filed with the Center on September 24, 2026.

On September 25, 2026, the Complainant sent an email to the Center requesting the termination of the present proceedings. On the same day, the Center invited the Respondent to provide comments on the Complainant's termination request. On September 29, 2026, the Respondent objected to the Complainant's termination request. On October 1, 2026, the Respondent confirmed that the Response filed on September 24, 2026 was his final and complete Response.

The Center appointed Assen Alexiev as the sole panelist in this matter on October 12, 2026. 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 is a regional agency representing keynote speakers and corporate trainers in the Middle East. It specialises in speaker management and event protocol services. The Complainant operates its official website at the domain name <mena-speakers.com>, registered on March 16, 2014.

The Complainant is the owner of the following trademark registrations for (the "MENA SPEAKERS trademark"):

- the Saudi Arabian trademark with registration No. 1445002593, applied for on August 9, 2023, and registered on November 6, 2023, for services in International Class 41;
- the United Arab Emirates trademark with registration No. 401369 , applied for on July 7, 2023, and registered on March 6, 2024, for services in International Class 41; and
- the Qatari trademark with registration No. 170092 , applied for on August 12, 2023, and registered on May 22, 2024, for services in International Class 41.

On October 15, 2020, the Complainant also filed a United States trademark application for MENA SPEAKERS with serial No. 90257856 for services in International Class 41. The United States Patent and Trademark Office (the "USPTO") issued a refusal of the application, and it was abandoned by the Complainant.

The disputed domain name was registered on August 15, 2010. It currently resolves to a website that promotes the speakers bureau services of "MENA Speakers Bureau" under the logo .

The website features 31 speakers on different topics, one of which is the Respondent, described as a "global business luminary and strategic innovator", and "an esteemed global entrepreneur with a rich career spanning over 30 years, marked by significant leadership roles at top-tier organizations like Intel, Xerox, and Al-Jazeera."

5. Parties 'Contentions

A. Complainant

The Complainant contends that the disputed domain name is confusingly similar to its MENA SPEAKERS trademark.

According to the Complainant, the Respondent has no rights or legitimate interests in the disputed domain name, because he is not commonly known by it, has not been authorised by the Complainant to use the MENA SPEAKERS trademark, and is not making a bona fide non-commercial or fair use of the disputed

domain name. The Complainant states that the Respondent operates a competing commercial speakers bureau under a name confusingly similar to the Complainant's trademark and without having any valid trade license.

The Complainant does not address the issue of whether the disputed domain name was registered in bad faith, but acknowledges that it was registered prior to the Complainant's trademark registrations.

The Complainant contends that the disputed domain name is being used in bad faith. According to it, "this case falls squarely within the exceptional circumstances recognised by WIPO panels where bad faith use is established independently of the circumstances at registration. Per [WIPO Overview 3.0](#), Section 3.1, where a respondent's subsequent conduct demonstrates deliberate targeting of the complainant's brand, panels will find bad faith use satisfied regardless of registration date."

According to the Complainant, the Respondent's own written communications show that he was aware of the Complainant's brand since at least 2018, that he made an explicit written offer to sell the disputed domain name for the price of USD 33,500, that he intended to replicate the Complainant's specific business model, and that he engaged in a sustained pattern of brand impersonation, client interference, and website mirroring spanning eight years.

B. Respondent

The Respondent contends that the disputed domain name reflects a descriptive term that was registered by the Respondent years before the Complainant's existence.

The Respondent points out that the Complainant was established in 2016 and its trademarks were registered in 2023 and 2024, while the disputed domain name was registered in 2010. The Respondent points out that when registering the disputed domain name, he could not have had any advance knowledge of the Complainant's launch six years later, and could not have registered or acquired the disputed domain name for the purpose of exploiting an entity which did not exist in 2010.

The Respondent notes that in English-speaking countries, "MENA" is a common acronym for "Middle East and North Africa", and its combination with the dictionary word "speakers" makes it a descriptive reference to speakers from the MENA region.

The Respondent points out that the Complainant has not disclosed its United States trademark application No. 90/257,856 which was filed in 2020 and was abandoned after no response was filed to the refusal, issued by the USPTO on March 15, 2021. The Respondent states that according to this refusal, relative to the services for which it was applied, the mark MENA SPEAKERS means motivational and educational speakers from or on subject matters related to the Middle East and North Africa, so the mark merely describes a characteristic or feature of the services. For this reason, the registration of the mark was refused by the USPTO on the basis of mere descriptiveness. The Respondent notes that this is not the first example under the Policy where a complainant obtains registration of a mark in primarily-non-English speaking jurisdictions, and intentionally omits to state, from a certified "complete" Complaint, the results of such an attempt to register the same mark in an English-speaking jurisdiction, which is also the designated Mutual Jurisdiction in the present proceeding.

The Respondent notes in this regard that the Complainant claims that it became aware of the Respondent's domain name in 2018, that it filed its trademark application in the United States in 2020, and after it was refused, the Complainant sought trademark registration in other jurisdictions in 2022 in order to obtain the claimed rights on which this proceeding is premised.

The Respondent explains that in August 2010, he was working with the MENA Smart Management Consultancy ("MENA Smart") - a Dubai management consultancy, and that he registered the disputed domain name and the earlier domain name <menasmart.com> for the purposes of this entity, and set the disputed domain name to redirect to the other domain name. In 2011, the Respondent became Managing

Director and CEO of MENA Smart and obtained a Dubai Trade Name Reservation for this entity. The Respondent further states that public speaking training, media and communication management and public relations were among the areas of focus of the services provided by Mena Smart, and this is why he registered the disputed domain name as an adjunct domain name dealing specifically with speaker development and public relations. The Respondent adds that while Mena Smart is no longer in business, he maintains the disputed domain name for continued use and development.

According to the Respondent, the above shows that the registration of the disputed domain name was consistent with the concurrent business of which the Respondent was involved and continues to use his expertise in public speaking development and management. The Respondent maintains that he has used the disputed domain name for a bona fide purpose directly related to the geographically descriptive meaning of the term “MENA Speakers” long before the existence of the Complainant, and is therefore the legitimate prior user of the disputed domain name.

6. Discussion and Findings

6.1. Procedural issue - Complainant’s request for termination of the proceeding

After the filing of the Response, the Complainant requested the termination of the proceeding with prejudice. The Respondent objected to the termination and requested the continuation of the proceeding.

The Panel considers that the Respondent, who has retained specialised counsel and has been put to the expense of preparing a Response, is entitled to receive a decision on the merits of this case. A termination of the proceeding, even with prejudice, would leave the Complainant’s allegations without an answer, and would not provide the Respondent with the legal certainty that any party wrongly and publicly accused of improper conduct deserves.

Therefore, the Panel denies the Complainant’s termination request and proceeds to a determination on the merits.

6.2. Substantive issues

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 of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The disputed domain name was registered in 2010, while the first registration of the Complainant’s MENA SPEAKERS trademark was made in 2023. As noted in section 1.1.3 of the [WIPO Overview 3.1](#), although the Policy makes no specific reference to the date on which the holder of the trademark or service mark acquired its rights, such rights must be in existence at the time the complaint is filed. The fact that a domain name may have been registered before a complainant has acquired trademark rights does not by itself preclude a complainant’s standing to file a UDRP case, nor a panel’s finding of identity or confusing similarity under the first element.

Considering the above, the Panel finds that the Complainant has shown rights in respect of the MENA SPEAKERS trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The MENA SPEAKERS trademark combines word and design elements. Its word elements are entirely reproduced within the disputed domain name. Since the design elements of this trademark are incapable of representation in domain names, the Panel disregards them for purposes of assessing identity or confusing

similarity under the first element. Accordingly, the disputed domain name is confusingly similar to the MENA SPEAKERS trademark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.10.

The Panel therefore finds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Panel finds that, before notice to the Respondent of the dispute, the Respondent has used the disputed domain name in connection with a bona fide offering of services. [WIPO Overview 3.1](#), section 2.2.

As noted by the Respondent, “MENA” is a commonly-used acronym for “Middle East and Northern Africa”, and its combination in the disputed domain name with “speakers” (a dictionary word) means “speakers from or on subject matters related to the Middle East and North Africa”. This meaning was the reason for the refusal of the USPTO to register the Complainant’s trademark application for “MENA SPEAKERS” in the United States due to mere descriptiveness. It is notable that the Complainant made no effort to overturn this refusal and abandoned its trademark application, effectively accepting the reasons for the refusal.

The Respondent has provided evidence that in 2010 and 2011 he was involved with the entity MENA Smart, that the activities of this entity included public speaking training, media and communication management and public relations, and that the domain name <menasmart.com> was used for the purposes of this entity. He explains that he registered the disputed domain name in 2010 for use by MENA Smart as an adjunct domain name dealing specifically with speaker development and public relations. The Wayback Machine records¹ show that in 2011, the disputed domain name indeed redirected to the website at the domain name <menasmart.com>.² The disputed domain name currently resolves to a website that promotes speakers bureau services in the MENA region provided by the MENA Speakers Bureau. These circumstances support the Respondent’s explanation of the reasons for the registration of the disputed domain name.

The “About Us” section of the Complainant’s website³ describes the Complainant as “The Middle East’s leading bureau for keynote speakers since 2016”. The Panel understands this to mean that the Complainant started its activities in 2016, and this is supported by the Wayback Machine records for the Complainant’s website, which show that in 2015 its website displayed placeholder texts, and an operational version of the website was first archived on May 6, 2016.⁴ The evidence submitted by the Complainant shows that the first contact between the parties occurred in July 2018, when the Respondent wrote to the Complainant to inform it that he was receiving messages intended for the Complainant because the Complainant had indicated in its promotional materials an email address at the disputed domain name, and the Complainant confirmed that this was an error and undertook to correct it as soon as possible. There is no evidence in the case file showing that the Respondent had become aware of the Complainant at any time prior to July 2018. The Complainant’s trademark was first registered in 2023.

All this taken together leads the Panel to the conclusion that, prior to the establishment of the Complainant and the commencement of its activities, prior to the registration of the Complainant’s trademark, and prior to receiving notice of the dispute, the Respondent has used the disputed domain name for a bona fide offering of services related to its ordinary meaning. It continues to do so at the moment. The Respondent therefore has rights and legitimate interests in the disputed domain name under paragraph 4(c)(i) of the Policy. The Panel therefore finds that the Complainant has failed to establish the second element of the Policy.

¹ Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party’s contention. [WIPO Overview 3.1](#), section 4.8.

² <https://web.archive.org/web/20110128204207/http://menaspeakers.com/>

³ <https://www.mena-speakers.com/about-us>

⁴ <https://web.archive.org/web/20160506032016/http://mena-speakers.com/>

C. Registered and Used in Bad Faith

The Panel finds that the Respondent did not register the disputed domain name in bad faith targeting of the Complainant or its trademark rights because the Complainant did not exist and had no trademark rights at the time that the Respondent registered the disputed domain name. [WIPO Overview 3.1](#), section 3.8.1.

The Respondent registered the disputed domain name in 2010 and started using it to redirect to the domain name <menasmart.com> in 2011, while the Complainant started its activities in 2016 and registered the MENA SPEAKERS trademark only in 2023-2024. In this situation, the Respondent could not have targeted the then non-existent Complainant with the registration of the disputed domain name.

As discussed in the section on rights and legitimate interests, the circumstances of this case support the conclusion that before notice of the dispute, the Respondent has used the disputed domain name for bona fide activities related to the ordinary meaning of the disputed domain name. The evidence in the case also shows that the Respondent continues to use the disputed domain name in connection with the same or similar services.

The correspondence between the parties submitted by the Complainant also shows that, rather than attempting to benefit from the confusion created by the similarity between the disputed domain name and the Complainant's domain name <mena-speakers.com>, the Respondent on numerous occasions forwarded to the Complainant the correspondence that was mistakenly sent to him. The Respondent cannot be blamed for such confusion since the Complainant adopted the name MENA Speakers and registered its domain name six years after the Respondent had registered the disputed domain name, so it must have been aware of this registration and of the risks of confusion at the time.

Therefore, there was nothing illegitimate in the Respondent discussing with the Complainant in June 2023 various scenarios and prices for the sale of the disputed domain name to the Complainant and for the purchase of the Complainant's business by the Respondent, which the evidence shows that the Parties have done, and more so given that such talks were initiated by the Complainant (item 10 of the Complainant's Supplementary Evidence Submission, containing the negotiation thread, is presented with the text "Shows Complainant's team actively trying to purchase the domain to end the confusion") at a time when it had not yet filed any trademark applications.

The Panel therefore finds that the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking ("RDNH") or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding.

As discussed in section 4.16 of the [WIPO Overview 3.1](#), reasons articulated by panels for finding RDNH include: (i) facts which demonstrate that the complainant knew it could not succeed as to any of the required three elements – such as the complainant's lack of relevant trademark rights, clear knowledge of respondent rights or legitimate interests, or clear knowledge of a lack of respondent bad faith (see generally section 3.8) such as registration of the disputed domain name well before the complainant acquired trademark rights, (ii) facts which demonstrate that the complainant clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint, including relevant facts on the website at the disputed domain name or readily available public sources such as the WhoIs [RDAP] database, (iii) unreasonably ignoring established Policy precedent notably as captured in this WIPO Overview – except in limited circumstances which prima facie justify advancing an alternative legal argument, (iv) the provision of false evidence, or otherwise attempting to mislead the panel, (v) the provision of intentionally incomplete material evidence – often clarified by the respondent, (vi) the complainant's failure to disclose that a case is a UDRP refiling, (vii) filing the complaint after an unsuccessful attempt to acquire

the disputed domain name from the respondent without a plausible legal basis, (viii) basing a complaint on only the barest of allegations without any supporting evidence.

It is also well accepted that for an RDNH finding to be made, it is not necessary for a respondent to seek such finding or prove the presence of conduct constituting RDNH.

The fact that the disputed domain name was registered in 2010 was known to the Complainant when it filed the Complaint, and the evidence submitted by the Complainant shows that on June 7, 2023, the Respondent informed it that “[...] my company is registered since 2008 and that we have been all that time on the same name. I believe that your company has taken over the name from us otherwise you would have reserved menaspeakers.com. [...]” This must have alerted the Complainant that there could not have been a bad faith registration of the disputed domain name under the Policy and that the Complaint could not succeed.

The Complainant however filed its Complaint, where it disregarded completely the Respondent's statement and the timing of the registration of the disputed domain name. Notably, the Complaint did not address the issue of registration in bad faith at all, although it must have been clear to the Complainant that this issue cannot be circumvented.

The Complainant went further. It did not disclose to the Panel the material fact that its United States trademark application for MENA SPEAKERS had been refused for mere descriptiveness and that it had not filed any response to the refusal and had abandoned the application. The Complainant was therefore well aware of the weakness of its trademark, but nevertheless filed its Complaint and attempted to hide this material evidence from the Panel.

The Panel therefore finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: October 23, 2016