

ADMINISTRATIVE PANEL DECISION

QatarEnergy v. Contact Privacy Inc. Customer 0165239386 / qatar reg, qatarenergyvendor, Contact Privacy Inc. Customer 0165157631 / Ren energy, QEV, Contact Privacy Inc. Customer 0165117612 / jace everest, vendorqatarenergy, QATAR ENERGY, QATAR ENERGY, Contact Privacy Inc. Customer 0165157631/ Fred jay, qatarenergyvendors, Contact Privacy Inc. Customer 0165107787 / luka cade, vendorsqatarenergy, Contact Privacy Inc. Customer 0165575074 / Qatar Energy, bidding-qatarenergy, Contact Privacy Inc. Customer 0165575216 / Qatar Energy, project-qatarenergy
Case No. D2022-4080

1. The Parties

The Complainant is QatarEnergy, Qatar, represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Contact Privacy Inc. Customer 0165239386 / qatar reg, qatarenergyvendor, Contact Privacy Inc. Customer 0165157631 / Ren energy, QEV, Contact Privacy Inc. Customer 0165117612 / jace everest, vendorqatarenergy, QATAR ENERGY, QATAR ENERGY, Contact Privacy Inc. Customer 0165157631/ Fred jay, qatarenergyvendors, Contact Privacy Inc. Customer 0165107787 / luka cade, vendorsqatarenergy, Contact Privacy Inc. Customer 0165575074 / Qatar Energy, bidding-qatarenergy, Contact Privacy Inc. Customer 0165575216 / Qatar Energy, project-qatarenergy, United States of America.

2. The Domain Names and Registrar

The disputed domain names <bidding-qatarenergy.com>, <contractors-qatarenergy.com>, <project-qatarenergy.com>, <qatarenergyvendor.com>, <qatarenergy-vendors.com>, <qatarenergyvendors.com>, <vendorqatarenergy.com>, <vendorsqatarenergy.com> (the “Domain Names”) are registered with Tucows Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 28, 2022. On October 28, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 31, 2022, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Contact Privacy Inc. Customer Nos. 0165239386, 0165157631,

0165309434, 0165117612, and 0165107787) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 2, 2022, 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 amended Complaint adding two disputed domain names on November 10, 2022.

On November 11, 2022, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on November 11, 2022, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

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 November 17, 2022. In accordance with the Rules, paragraph 5, the due date for Response was December 7, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 12, 2022.

The Center appointed Marina Perraki as the sole panelist in this matter on December 16, 2022. 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. Procedural issue: Consolidation of Respondents

The Panel has considered the possible consolidation of the Complaint for the Domain Names at issue. According to WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2, "Where a complaint is filed against multiple respondents, panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario".

The Panel notes the following features of the Domain Names and arguments submitted by Complainant in favor of the consolidation of the Domain Names:

(i) the Domain Names <qatarenergyvendors.com>, <vendorqatarenergy.com>, and <vendorsqatarenergy.com> were registered within one week, the Domain Names <contractors-qatarenergy.com>, <qatarenergyvendor.com>, and <qatarenergy-vendors.com> were registered further to the suspension of the Domain Names <qatarenergyvendors.com> and <vendorsqatarenergy.com> by the Registrar, while the Domain Names <bidding-qatarenergy.com> and <project-qatarenergy.com> were registered after the filing of the Complaint;

(ii) all Domain Names were registered with the same registrar;

(iii) all Domain Names are on the same DNS (ns1.systemdns.com, ns2.systemdns.com and ns3.systemdns.com);

(iv) all Domain Names resolve or used to resolve to an identical Zoho holding page;

(v) all Domain Names include the Complainant's QATARENERGY trade mark, details of which are set out below, with the addition for four Domain Names of the descriptive terms "vendor" and "vendors"; and

(vi) all Domain Names were registered under the ".com" generic Top-Level Domain (gTLD);

(vii) all Domain Names were registered using Gmail email addresses;

(viii) all Domain Names were registered using false Whois registrant contact information:

- a. The Domain Names <qatarenergyvendor.com>, <qatarenergyvendors.com>, <qatarenergy-vendors.com> and <vendorqatarenergy.com> were registered using a variation of the address "Fremont Street, San Francisco, California 94105, United States";
- b. The email addresses listed for <vendorqatarenergy.com> and <vendorsqatarenergy.com> were constructed in a similar fashion, *i.e.* "[name]0[surname]1@gmail.com";
- c. The telephone numbers listed for the Domain Names <qatarenergyvendor.com>, <qatarenergyvendors.com>, <qatarenergy_vendors.com> and <vendorqatarenergy.com> include area codes which are inconsistent with the registrants being based in California, *i.e.*, using "920" which is the area code for Wisconsin, "929" for the State of New York and "304" for West Virginia; and
- d. The telephone number listed for <contractors-qatarenergy.com> is obviously false, *i.e.* "+1.12345678".

Considering all the above, the Panel notes that there appears *prima facie* to be one single Respondent, likely providing fake ID details. Furthermore, named Respondents did not submit any arguments to rebut this inference.

The Panel finds that consolidation of the above Domain Names is fair to the Parties and Respondents have been given an opportunity to object to consolidation through the submission of pleadings to the Complaint (if indeed there are more than one Respondent for these Domain Names) but have chosen not to (see [WIPO Overview 3.0](#), sections 4.11.1 and 4.11.2; *Virgin Enterprises Limited v. LINYANXIAO aka lin yanxiao*, WIPO Case No. [D2016-2302](#)). Based on the case file, the Panel finds that it is more likely than not that the Domain Names are in common control of one entity, and hence the Panel grants the consolidation for the above Domain Names (and will refer to these Respondents as "Respondent").

5. Factual Background

Complainant is a Qatari state owned corporation founded in 1974 which operates all oil and gas activities in the State of Qatar. Per the Complaint, Complainant's activities, undertaken directly and indirectly through subsidiaries and joint ventures, encompass the entire spectrum of the oil and gas value chain locally, regionally and internationally. Having operated under the name of Qatar Petroleum for over 20 years, Complainant changed its name to "QatarEnergy" on October 11, 2021. Complainant's rebranding was widely reported by the press. Complainant's revenues from oil and natural gas together amount to 60 per cent of the national Gross Domestic Product ("GDP") of the State of Qatar. As of 2018, Complainant was the third largest oil corporation in the world by oil and gas reserves. In 2021, Complainant was listed as the No.2 among the "Top 10 Unlisted Companies in Qatar" by Forbes Middle East. Complainant's official page on Facebook has over 475,000 "likes" and 56,000 followers on Twitter.

Complainant owns trademark registrations for QATAR ENERGY including the European Union Trade Mark Registration No. 018573702, QATAR ENERGY (figurative), filed on October 11, 2021 and registered on April 19, 2022, for goods and services in international classes 1, 4, 37, 39, 40, 41, 42, 43, and 45;

Complainant is the owner of domain names consisting of the name QatarEnergy, such as <qatarenergy.qa> and <qatarenergy.com.qa>.

The Domain Names were registered as follows:

1. <contractors-qatarenergy.com> on September 21, 2022
2. <qatarenergyvendor.com> on September 16, 2022
3. <qatarenergyvendors.com> on September 5, 2022
4. <qatarenergy-vendors.com> on September 26, 2022
5. <vendorqatarenergy.com> on August 31, 2022
6. <vendorsqatarenergy.com> on August 30, 2022
7. <bidding-qatarenergy.com> on October 31, 2022
8. <project-qatarenergy.com> on October 31, 2022

The Domain Names were either registered using a privacy service or the details in the Whois record were heavily redacted. The underlying registrant details identified the registrant as “Qatar Energy”, “bidding-qatarenergy”, “project-qatarenergy”, “Qatarenergyvendor”, “Qatarenergyvendors”, “QEV”, “Vendorqatarenergy” and “Vendorsqatarenergy”, respectively in the states of California, Delaware and Pennsylvania in the United States. However, as Complainant demonstrated, Qatar Energy is not incorporated in Pennsylvania. Further, no companies under the names “Qatar Energy”, “bidding-qatarenergy”, “project-qatarenergy”, “Qatarenergyvendor”, “Qatarenergyvendors”, “QEV”, “Vendorqatarenergy” and “Vendorsqatarenergy” appeared per Complainant to exist in the states of California and Delaware in the United States with corresponding addresses.

Prior to Complainant’s request to the Registrar to suspend the Domain Names, all Domain Names resolved to the same Zoho holding page. Currently they all resolve to inactive webpages.

6. Parties’ Contentions

A. Complainant

Complainant asserts that it has established all three elements required under paragraph 4(a) of the Policy for the transfer of the Domain Name.

B. Respondent

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

7. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements, which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

Complainant has demonstrated rights through registration and use on the QATAR ENERGY mark.

The Panel finds that the Domain Names are confusingly similar with the QATAR ENERGY trademark of Complainant.

The Domain Names incorporate the said trademark of Complainant in its entirety with the addition of the descriptive terms “contractors”, “vendor”, “vendors”, “bidding”, and “project”. This is sufficient to establish confusing similarity (*Xiaomi Technology Company Limited, Xiaomi Technology India Private Limited v. Mi Dealer*, WIPO Case No. [D2019-0189](#), *FENICE S.R.L. v. Ling Xie*, WIPO Case No. [D2022-2694](#)).

The generic Top-Level Domain (“gTLD”) “.com” is also disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons only ([WIPO Overview 3.0](#), section 1.11.1.).

The Panel finds that the Domain Names are confusingly similar to the QATAR ENERGY trademark of Complainant.

Complainant has established Policy, paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a *bona fide* offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel finds that Respondent lacks rights or legitimate interests in respect of the Domain Names.

Respondent has not submitted any response and has not claimed any such rights or legitimate interests with respect to the Domain Names. As per Complainant, Respondent was not authorized to register the Domain Names.

Prior to the notice of the dispute, Respondent did not demonstrate any use of the Domain Names or a trademark corresponding to the Domain Names in connection with a *bona fide* offering of goods or services.

Furthermore, there is no evidence on record giving rise to any rights or legitimate interests in the Domain Names on the part of Respondent within the meaning of paragraphs 4(c)(ii) and 4(c)(iii) of the Policy.

The Panel finds that these circumstances do not confer upon Respondent any rights or legitimate interests in respect of the Domain Names.

Complainant has established Policy, paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, “in particular but without limitation”, are evidence of the registration and use of the Domain Names in “bad faith”:

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Names primarily for the purpose of selling, renting, or otherwise transferring the Domain Names registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Names; or

(ii) that Respondent has registered the Domain Names in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding Domain Names, provided that Respondent has engaged in a pattern of such conduct; or

(iii) that Respondent has registered the Domain Names primarily for the purpose of disrupting the business of a competitor; or

(iv) that by using the Domain Names, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes that Respondent has registered and used the Domain Names in bad faith. Complainant's mark QATARENERGY is known in the field of oil and gas. Because the QATARENERGY mark had been used and registered at the time of the Domain Names registrations by Respondent, the Panel finds that Respondent had Complainant's mark in mind when registering the Domain Names (*Tudor Games, Inc. v. Domain Hostmaster, Customer ID No. 09382953107339 dba Whois Privacy Services Pty Ltd / Domain Administrator, Vertical Axis Inc.*, WIPO Case No. [D2014-1754](#); *Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net*, WIPO Case No. [D2000-0226](#)).

As regards bad faith use, the non-use of a domain name would not prevent a finding of bad faith (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); [WIPO Overview 3.0](#), section 3.3).

As further evidence of bad faith the Panel notes that the Domain Names were either registered using a privacy service or the details in the Whois record were heavily redacted. The underlying registrant details identified the registrant as "Qatar Energy", "bidding-qatarenergy", "project-qatarenergy", "Qatarenergyvendor", "Qatarenergyvendors", "QEV", "Vendorqatarenergy" and "Vendorsqatarenergy", respectively in the states of California, Delaware and Pennsylvania in the United States, however, as Complainant demonstrated, Qatar Energy is not incorporated in Pennsylvania. Further, no companies under the names "Qatar Energy", "bidding-qatarenergy", "project-qatarenergy", "Qatarenergyvendor", "Qatarenergyvendors", "QEV", "Vendorqatarenergy" and "Vendorsqatarenergy" appeared per Complainant to exist in the states of California and Delaware in the United States with corresponding addresses.

Complainant has established Policy paragraph 4(a)(iii).

8. 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 domain names <bidding-qatarenergy.com>, <contractors-qatarenergy.com>, <project-qatarenergy.com>, <qatarenergyvendor.com>, <qatarenergy-vendors.com>, <qatarenergyvendors.com>, <vendorqatarenergy.com>, and <vendorsqatarenergy.com> be transferred to the Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: December 30, 2022