

## **ADMINISTRATIVE PANEL DECISION**

Greenberg Traurig, LLP v. donald rogers  
Case No. D2023-3897

### **1. The Parties**

The Complainant is Greenberg Traurig, LLP, United States of America (“United States”), self-represented.

The Respondent is donald rogers, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <gt-laws.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 September 18, 2023. On September 19, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 19, 2023, 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 (Privacy service provided by Withheld for Privacy Purposes) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 21, 2023, 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 on September 29, 2023.

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 October 2, 2023. In accordance with the Rules, paragraph 5, the due date for Response was October 22, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 26, 2023.

The Center appointed Gordon Arnold as the sole panelist in this matter on November 17, 2023. 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 facts relevant to this dispute are:

1. The Complainant has used its trademarks GT in connection with legal services (“The Complainant’s Marks”) for decades, and it owns and operates a website, “www.GTLaw.com” (“The Complainant’s website”).
2. The Complainant has prominently used its trademark GT on its website since July 2022.
3. The Complainant has a United States Trademark Registration (No. 4,790,133) registered August 11, 2015.
4. The disputed domain name incorporates the Complainant’s service mark in its entirety, and it adds “-laws” after the Complainant’s service mark.
5. The disputed domain name resolves to a pay-per-click (“PPC”) site advertising legal services other than the Complainant’s.
6. The name of the Registrant, who registered the disputed domain name, is that of an individual, and that name is not similar or even suggestive of the disputed domain name.
7. The Respondent is not a licensee of the Complainant and has no trademark registrations related to the disputed domain name.
8. The disputed domain name’s registration was after the Complainant established trademark use and after the Complainant’s use of its service mark, which incorporates the Complainant’s registered trademark, to resolve to the Complainant’s website.

#### **5. Parties’ Contentions**

##### **A. The Complainant**

Based on the above facts, the Complainant contends that it has service mark rights, that the disputed domain name is identical or confusingly similar to those rights, that the Respondent has no rights or legitimate interests in the disputed domain name, and that the registration and use of the disputed domain name was and is in bad faith. The Complainant also asserts that intent should be inferred based on the Complainant’s registration and use of its trademarks before registration of the disputed domain name.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

##### **A. Identical or Confusingly Similar**

The Complainant alleges:

-It has used its trademarks in connection with legal services (“the Complainant’s service mark”) for decades, and it owns and operates a website accessible posted on the <gtlaw.com> domain name at the following URL “www.GTLaw.com”.

-The Complainant has prominently used GT on its website.

-The Complainant has a United States Trademark Registration (No. 4,790,133) registered August 11, 2015.

The above are uncontested facts, supported by submitted sufficient documentary evidence.

The disputed domain name incorporates the Complainant's service mark in its entirety, and it adds "-laws" after the Complainant's service mark. The Panel finds that the disputed domain name is confusingly similar to the Complainant's service mark.

The Panel finds that the Complainant has established that it has service mark rights and the disputed domain name is confusingly similar to those rights under paragraph 4(a)(i) of the Policy.

### **B. Rights or Legitimate Interests**

The disputed domain name resolves to a PPC site advertising legal services other than the Complainant's. The Registrant's name is that of an individual, and that name is not similar or even suggestive of the disputed domain name. The Complainant also certifies that Respondent is not a licensee, has no trademark registrations related to the disputed domain name (which is uncontested). Further, the disputed domain name registration was after the Complainant established trademark use and after the Complainant's use of its service mark, which incorporates the Complainant's registered trademark, to resolve to the Complainant's website.

Based on the above, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name under paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

In addition to asserting the above facts as evidence of bad faith in both the registration and use of the Complainant's service mark, the Complainant argues that knowledge of the Complainant's rights should be inferred based on the earlier registrations and use by the Complainant's service marks in the United States. In the absence of any response, which could have presented evidence of lack of knowledge, by a declaration or some other means, the Panel is left with no reasonable conclusion but to infer knowledge.

Given the Respondent's knowledge and the nature of the Respondent's use, the Panel concludes that the Respondent is trying to attract Internet users to its website by creating likelihood of confusion with the Complainant's Marks as to the disputed domain name's source, sponsorship, affiliation, or endorsement.

Based on the above, the Panel finds that the disputed domain name was registered and used in bad faith under paragraph 4(a)(iii) 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 <gt-laws.com> be transferred to the Complainant.

/Gordon Arnold/

**Gordon Arnold**

Sole Panelist

Date: December 4, 2023