

ADMINISTRATIVE PANEL DECISION

ManTech International Corporation v. Rajdeep Banerjee, QMANSYS INFOSOLUTIONS

Case No. D2024-1360

1. The Parties

The Complainant is ManTech International Corporation, United States of America (“United States”), represented by Cantor Colburn LLP, United States.

The Respondent is Rajdeep Banerjee, QMANSYS INFOSOLUTIONS, India.

2. The Domain Name and Registrar

The disputed domain name <qmantech.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 March 29, 2024. On April 2, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 2, 2024, 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 April 8, 2024, 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 April 10, 2024.

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 April 15, 2024. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 8, 2024.

The Center appointed Steven A. Maier as the sole panelist in this matter on May 24, 2024. 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 corporation organized under the laws of Delaware, United States. It is a defence contractor, engaged primarily in the provision of services to the United States Government.

The Complainant is the owner of various registrations for the trademark MANTECH, including for example the following:

- United States trademark registration number 1955765 for the word mark MANTECH, registered on February 13, 1996, for services in International Class 42; and
- United Kingdom trademark registration number 905016738 for the word mark MANTECH, registered on March 14, 2008, for services in International Classes 41 and 42.

The Complainant operates a website at “www.mantech.com”.

The disputed domain name was registered on June 15, 2021.

The Complainant provides evidence that the disputed domain name has resolved to a registrar-hosted parking page indicating that the disputed domain name may be available, and including what appear to be pay-per-click (“PPC”) links to third-party services including “Government Contracts”, “Conversational AI”, “Electronic Components” and “Electronic Parts”.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it was founded in 1968 and has used the mark MANTECH continuously since that date. It states that it is one of the most trusted United States defence contractors, providing services in the defence, aerospace, aeronautical, intelligence, computer, simulation, and systems integration industries. It provides evidence of its commercial profile and history. It submits that its MANTECH mark has previously been recognized as a “well-known” trademark by a panel under the UDRP in *Mantech International Corporation v. Whoisguard Protected, Whoisguard, Inc. / Larry Desmond*, WIPO Case No. [2019-0436](#).

The Complainant submits that the disputed domain name is confusingly similar to its MANTECH trademark. It contends that the disputed domain name incorporates that trademark in full, adding only the initial letter “q” which does not distinguish the disputed domain name from its trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its MANTECH trademark, that the Respondent has not commonly been known by the disputed domain name and that the Respondent is making neither bona fide commercial use, nor legitimate noncommercial or fair use, of the disputed domain name.

Concerning the Respondent’s use of the disputed domain name, the Complainant contends that its mark MANTECH is not a dictionary term (whether or not preceded by the letter “q”) and that the Respondent is not therefore offering PPC links relating to any common meaning of that term. The Complainant further submits that the Respondent is offering PPC links to services that compete with its own, which represents the targeting of its trademark and cannot give rise to rights or legitimate interests in respect of the disputed domain name.

The Complainant submits that the disputed domain name has been registered and is being used in bad faith. It states that the Respondent is guilty of “opportunistic bad faith” and also “typosquatting” by registering the disputed domain name which almost exactly replicates its well-known MANTECH trademark. It contends that Internet users are likely to be misled into believing that the disputed domain name has some legitimate commercial connection with the Complainant and will be misleadingly redirected to the Respondent’s website on that basis. The Complainant reiterates that the Respondent uses the disputed domain name to offer PPC links to services that compete with those of the Complainant and contends that the Respondent is seeking to attract Internet users to its website, for commercial gain, by misrepresenting a legitimate connection between the disputed domain name and the Complainant’s MANTECH trademark.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark 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.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights for the mark MANTECH. The disputed domain name is identical to that trademark, but for the inclusion of an initial letter “q”, which does not prevent the Complainant’s trademark from being recognizable within the disputed domain name. The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant’s submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise.

While the Panel notes that the Registrant Organization as disclosed by the Registrar is “QMANSYS INFOSOLUTIONS”, this is not a matter of which the Panel is equipped to take any material account in the absence of any submissions or evidence on the part of the Respondent.

The Panel moreover finds that the Respondent has not used the disputed domain name in connection with any dictionary (or other explicated) meaning of the term “qmantech”, and that it has used the disputed domain name for the purpose of PPC links to services including those which compete with the Complainant’s. Such conduct implies the targeting of the Complainant’s trademark and cannot give rise to rights or legitimate interests in respect of the disputed domain name.

The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

The Panel finds the Complainant's trademark MANTECH to be distinctive and to have become widely known in association with the Complainant's services in defence contracting in particular. The disputed domain name is highly similar to the Complainant's trademark (albeit commencing with the letter "q"). The Respondent has provided no explanation for its choice of the disputed domain name, which it has used for the purpose of PPC links having no apparent connection with the disputed domain name itself, and which promote services similar to those offered by the Complainant itself. The Panel infers in the circumstances that the Respondent registered the disputed domain name with the Complainant's trademark in mind, and with the intention of taking unfair advantage of the goodwill attaching to that trademark.

The Panel finds further that the disputed domain name is likely to mislead Internet users into believing that it must be owned or operated by, or otherwise legitimately affiliated with, the Complainant, and that by using the disputed domain name, 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 trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel therefore finds that the disputed domain name has been registered and is being used in bad faith.

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 <qmantech.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: June 7, 2024