

ADMINISTRATIVE PANEL DECISION

Hartford Fire Insurance Company v. Houchang Li and Yan Zhang Case No. D2022-0591

1. The Parties

The Complainant is Hartford Fire Insurance Company, United States of America (hereinafter referred to as “US”), represented by Fross Zelnick Lehrman & Zissu, P.C., US.

The Respondents are Houchang Li, China; and Yan Zhang, China.

2. The Domain Names and Registrar

The disputed domain names <theehartford.com>, <thehartfrd.com>, and <tjehartford.com> are registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 19, 2022. On February 21, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 22, 2022, the Registrar transmitted by email to the Center its verification response confirming that the Respondents are listed as the registrants and providing the contact details.

On February 22, 2022, the Center transmitted an email communication to the Parties in English and Japanese regarding the language of the proceeding. On February 24, 2022, the Complainant confirmed its request that English be the language of the proceeding. The Respondents did not comment on the language of the proceeding.

The Center verified that 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 Respondents in English and Japanese of the Complaint, and the proceedings commenced on February 28, 2022. In accordance with the Rules, paragraph 5, the due date for Response was March 20, 2022. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on March 21, 2022.

The Center appointed Keiji Kondo as the sole panelist in this matter on March 31, 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. Factual Background

The Complainant and its related entities (hereinafter collectively referred to as “the Hartford”), whose business was founded in 1810, operate insurance and financial services businesses in the US. The Hartford is a provider of life insurance, automobile and home-owners’ insurance, business insurance and reinsurance, group and employee benefits, and investment products. The Hartford issues and renews insurance policies to customers throughout the US and offers a diverse portfolio of insurance and financial services products to a broad spectrum of customers through independent agents and brokers, financial institutions, affinity groups and via the Internet.

The Hartford also is the registrant of <thehartford.com>, which it uses for its flagship website “www.thehartford.com”, a website in which the Complainant owns the copyright.

The Hartford spends tens of millions of dollars annually in advertising and promoting the mark THE HARTFORD and other marks including “Hartford” (hereinafter collectively referred to as “THE HARTFORD Marks”). The Complainant’s products and services are provided under the THE HARTFORD Marks, including via television, radio, print media and on the Internet.

The Complainant owns numerous US federal trademark registrations for THE HARTFORD Marks, including but not limited to the following:

- Registration No. 1,155,051, THE HARTFORD, Registration Date: May 19, 1981 (first use 1971), for insurance underwriting service in Class 36;
- Registration No. 2,487,011, THE HARTFORD, Registration Date: September 11, 2001 (first use April 15, 1999), for providing information about insurance policies and services via the worldwide computer network in Class 36; and
- Registration No. 2,105,608, THE HARTFORD & Design, Registration Date: October 14, 1997 (first use December 20, 1996), for insurance underwriting services for all types of insurance in Class 36.

The disputed domain names <thehartford.com> and <thehartfrd.com> were both registered on November 18, 2018, and the disputed domain name <tjehartford.com> was registered on February 25, 2021.

The disputed domain names <thehartford.com> and <tjehartford.com> were previously used to redirect traffic to the Complainant’s “www.thehartford.com” website. They now redirect to parked websites containing pay-per-click links to third party websites.

The disputed domain name <thehartfrd.com> is being used in connection with a parked website containing pay-per-click links to third party websites.

5. Parties’ Contentions

A. Complainant

The disputed domain names are confusingly similar to the THE HARTFORD Marks.

The disputed domain name <theehartford.com> incorporates the Complainant's trademark THE HARTFORD in its entirety, merely adding a letter "e" between "the" and "Hartford". Similarly, the disputed domain name <tjehartford.com> merely replaces the letter "h" in "the" with the letter "j". Finally, the disputed domain name <thehartfrd.com> incorporates the Complainant's trademark THE HARTFORD in its entirety, merely deleting the letter "o" in "ford".

The generic Top-Level Domain ("gTLD"), ".com" must be disregarded when assessing similarity.

In sum, the disputed domain names are confusingly similar to the Complainant's trademark, comprising nothing more than typosquatting versions of the Complainant's trademark THE HARTFORD and the gTLD, ".com".

The Respondents have no rights or legitimate Interests in the disputed domain names.

There exists no relationship between the Complainant and the Respondents that would give rise to any license, permission, or other right by which the Respondents could own or use any domain name incorporating the Complainant's trademark THE HARTFORD. The Complainant has never authorized the Respondents to use any of the Complainant's trademarks, or other marks confusingly similar thereto, for any purpose, including in a domain name.

The disputed domain names are not, nor could they be reasonably contended to be, nicknames of the Respondents. There is no evidence that the Respondents are known by the name "The Hartford" (or "Thee Hartford", "Tje Hartford", or "The Hartfrd").

The redirection to the Complainant's website belies any suggestion that the disputed domain names <theehartford.com> and <tjehartford.com> are associated with the Respondents, or that there is any other legitimate justification for the Respondents' registration of the disputed domain names <theehartford.com> and <tjehartford.com>.

In addition, the Respondent Houchang Li is a serial cybersquatter, having lost at least six previous disputes filed under the UDRP.

Thus, there is no basis for the Respondents to claim that they have legitimately registered the disputed domain names, which are confusingly similar to the Complainant's trademark THE HARTFORD.

The Respondents registered, and have used, the disputed domain names in bad faith.

First, given that the Respondents have no connection with the Complainant and have never been authorized by the Complainant to use or register the disputed domain names, the very fact that the Respondents have registered the disputed domain names which incorporate the Complainant's trademark nearly in its entirety establishes opportunistic bad faith registration and use.

Second, given the reputation and renown of the Complainant's trademark THE HARTFORD, most Internet users who see the disputed domain names are likely to immediately recognize the Complainant's trademark and assume that the disputed domain names and any website associated with them are owned, controlled, or approved by the Complainant. This is particularly true given that two of the disputed domain names were used to redirect visitors to the Complainant's own website.

In addition, consumers and other third parties who search the Internet for legitimate information about the Complainant may be directed to the disputed domain names, all of which are confusingly similar versions of the Complainant's trademark. This creates a probability of confusion.

There is also indication that the disputed domain names might be used in connection with a fraud or a phishing scam, which would clearly be a bad faith use of the disputed domain names.

The Respondents have never made any actual use of the disputed domain names <thehartford.com> and <tjehartford.com> other than in connection with the redirection to the Complainant's website. Such redirection has been held to support a finding of bad faith registration and use of the disputed domain name. See *Carrefour v. WhoisGuard, Inc.*, WIPO Case No. [D2017-2533](#) ("The Panel finds that the invisible redirection from the disputed domain name to the Complainant's official website reinforces potential for confusion. Internet users are likely to consider the disputed domain name was in some way endorsed by or connected with the Complainant").

The Respondents have never made any actual use of the disputed domain name <thehartfrd.com> other than in connection with the parked website that currently appears at the "www.thehartfrd.com" address associated with the disputed domain name. Holding a domain name linked to a parked site, too, has been held to support a finding of bad faith registration and use of the disputed domain name. See *Tommy Bahama Group, Inc. v. Russell Pike*, WIPO Case No. [D2020-0502](#); *Skyscanner Limited v. Kadeer Razeen*, WIPO Case No. [D2019-2825](#).

In sum, the evidence shows that the only reason for the Respondents' use of the Complainant's trademark THE HARTFORD in the disputed domain names is to intentionally confuse consumers and to trade on the Complainant's rights and reputation. See *Houghton Mifflin Co. v. Weathermen, Inc.*, WIPO Case No. [D2001-0211](#); see also *Philip Morris Inc. v. Tsyarkin*, WIPO Case No. [D2002-0946](#).

From all of this, it is clear that the Respondents have registered and used the disputed domain names in bad faith.

Based on all of the above, the Complainant has met the requirements of the Policy, and the Complainant hereby requests that all the disputed domain names be transferred to the Complainant.

B. Respondents

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

6. Discussion and Findings

6.1. Procedural Issues

A. Consolidation

This case concerns three disputed domain names, among which, the disputed domain names <thehartford.com> and <tjehartford.com> are owned by the Respondent Houchang Li, and the disputed domain name <thehartfrd.com> is owned by the Respondent Yan Zhang; that is, the Complaint has been filed against two different Respondents.

Paragraph 10(e) of the Rules grants a panel the power to consolidate multiple domain name disputes. 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. See section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

Considering the following factors, the Panel, exercising the authority under paragraph 10(e) of the Rules, consolidates the domain name disputes between the Complainant and the two Respondents:

- the street address of the Respondents is the same;
- the Respondents use the same email address;
- the Registrar is the same for all the disputed domain names; and

- the differences of all the disputed domain names from the Complainant's trademark are of the same nature; that is, they can be explained as typosquatting with common typographical errors.

B. Language of the Proceeding

In its verification email transmitted to the Center on February 22, 2022, the Registrar confirmed that the language of the Registration Agreements for the disputed domain names is Japanese. The Complainant confirmed its request that English be the language of the proceeding on February 24, 2022. Considering the following circumstances, the Panel, exercising its authority to determine the language of the proceeding under paragraph 11(a) of the Rules, has decided English as the language of the proceeding:

- the Complaint was filed in English;
- the Complainant is a US entity, and represented by a US attorney;
- the Respondents' addresses are in China;
- on February 22, 2022, the Center sent a communication to the Parties, in English and Japanese, regarding the language of the proceeding, but the Respondents did not comment on the language of the proceeding, nor did they reply to the Complainant's contentions in any manner; and
- ordering the translation of the Complaint would only result in extra delay of the proceeding and additional cost for the Complainant.

6.2. Substantive Issues

A. Identical or Confusingly Similar

The Complainant owns trademark registrations for THE HARTFORD, including a US trademark registration registered on May 19, 1981.

Each of the disputed domain names incorporates either the Complainant's trademark in its entirety or almost in its entirety with a common typographical error that often happens in ordinary persons' typing. In the disputed domain name <theehartford.com>, "the" is changed to "thee", in <tjehartford.com>, "the" is changed to "tje", and in <thehartfrd.com>, "ford" is changed to "frd".

Even with these changes, ordinary observers of the disputed domain names would easily recognize the Complainant's trademark because "hartford" is its principal part. A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by UDRP panels to be confusingly similar to the relevant mark for purposes of the first element (see section 1.9 of the [WIPO Overview 3.0](#)).

It is well-established that the gTLD ".com" should typically be disregarded in finding of confusing similarity because it is viewed as a standard registration requirement.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant's trademark within the meaning of paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The disputed domain names are not actively used by the Respondents to offer goods or services. The disputed domain names <theehartford.com> and <tjehartford.com> were previously used to redirect traffic to the Complainant's website. They now redirect to parked websites containing pay-per-click links to third party websites. The disputed domain name <thehartfrd.com> is being used in connection with a parked website containing pay-per-click links to third party websites. Therefore, the use of the disputed domain names by the Respondents is not a use in connection with a *bona fide* offering of goods or services under paragraph 4(c)(i) of the Policy, nor a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy.

The names of the Respondents are not at all similar to the disputed domain names. Therefore, the Panel concludes that the Respondents have never been commonly known by the disputed domain names within the meaning of paragraph 4(c)(ii) of the Policy.

Moreover, the Respondents did not reply to the Complainant's contentions, even though they had been properly given a notification of the Complaint.

Accordingly, the Panel finds that the Respondents have no rights or legitimate interests in respect of the disputed domain names within the meaning of paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

According to the Complainant's US Trademark Registration No. 1,155,051, the first use in commerce of the trademark took place in 1971, and the trademark was registered in 1981. On the other hand, the disputed domain names were registered, respectively, on November 18, 2018, and on February 25, 2021. Since the registration of the Complainant's trademark predates the registration of the disputed domain names by some 40 years, it is inconceivable that the Respondents were not aware of the Complainant's trademark.

The way that the Respondents changed the Complainant's trademark in the disputed domain names clearly demonstrates that they intentionally attempted to create confusion. They are typical examples of typosquatting. Typing "ee" for "e" often occurs. Typing "j" for "h" is not unusual because "j" is next to "h" on a qwerty keyboard. Omission of a vowel often occurs in speed writing.

In addition, the fact that the disputed domain names <theehartford.com> and <tjehartford.com> were once used to redirect traffic to the Complainant's website supports the finding of bad faith registration. The Respondents were clearly aware of the Complainant's trademark, and attempted to cause confusion. Therefore, the Panel finds that the disputed domain names were registered in bad faith.

Presently, the disputed domain names are being used for parked websites containing pay-per-click links to third party websites, some of which also offer insurance services. Considering that the Respondents should have been well aware of the Complainant's trademark, and the Complainant's website provides useful information about insurance and other financial matters, the Panel concludes that the Respondents, by using the disputed domain names, have intentionally attempted to attract, for generating financial gain, Internet users to their websites or other online locations, by creating a likelihood of confusion with the Complainant's trademark. Therefore, the Panel finds that the disputed domain names are being used in bad faith. This conclusion is further supported by the fact that the Respondent did not reply to the Complainant's contentions.

Accordingly, the Panel finds that the disputed domain names were registered and are being used in bad faith within the meaning of 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 names <theehartford.com>, <tjehartford.com>, and <thehartfrd.com> be transferred to the Complainant.

/Keiji Kondo/

Keiji Kondo

Sole Panelist

Date: April 14, 2022