

ADMINISTRATIVE PANEL DECISION

Verizon Trademark Services LLC v. 杨智超 (Zhi Chao Yang)
Case No. D2022-2224

1. The Parties

The Complainant is Verizon Trademark Services LLC, United States of America, represented internally.

The Respondent is 杨智超 (Zhi Chao Yang), China.

2. The Domain Names and Registrars

The disputed domain names, <comverizonbenefitsconnection.com>, <myverizonbenefitsconnection.com>, <verisonbenefitsconnection.com>, <verixonbenefitsconnection.com>, <verizonbbenefitsconnection.com>, <verizonbeefitsconnection.com>, <verizonbemefitsconnection.com>, <verizonbeneditsconnection.com>, <verizonbeneffitsconnection.com>, <verizonbenefitsconnection.com>, <verizonbenefirsconnection.com>, <verizonbenefistconnection.com>, <verizonbenefitaconnection.com>, <verizonbenefitcsonnection.com>, <verizonbenefitdconnection.com>, <verizonbenefitscconnection.com>, <verizonbenefitscnonection.com>, <verizonbenefitscobnection.com>, <verizonbenefitscomnection.com>, <verizonbenefitsconbection.com>, <verizonbenefitsconenction.com>, <verizonbenefitsconnection.com>, <verizonbenefitsconncection.com>, <verizonbenefitsconnction.com>, <verizonbenefitsconneccion.com>, <verizonbenefitsconnectiion.com>, <verizonbenefitsconnecriion.com>, <verizonbenefitsconnectiin.com>, <verizonbenefitsconnectiion.com>, <verizonbenefitsconnectino.com>, <verizonbenefitsconnectiom.com>, <verizonbenefitsconnectioon.com>, <verizonbenefitsconnectipn.com>, <verizonbenefitsconnecti0n.com>, <verizonbenefitsconnectlon.com>, <verizonbenefitsconnectoin.com>, <verizonbenefitsconnectuon.com>, <verizonbenefitsconnechyion.com>, <verizonbenefitsconneection.com>, <verizonbenefitsconnevtion.com>, <verizonbenefitsconnection.com>, <verizonbenefitsconnrction.com>, <verizonbenefitsconnwction.com>, <verizonbenefitscoonection.com>, <verizonbenefitsc0nnection.com>, <verizonbenefitssonnection.com>, <verizonbenefitssconnection.com>, <verizonbenefitsvonection.com>, <verizonbenefitsxonnection.com>, <verizonbenefitssconnection.com>, <verizonbenefiysconnection.com>, <verizonbenefltsconnection.com>, <verizonbenefotsconnection.com>, <verizonbenefisconnection.com>, <verizonbenefitsconnection.com>, <verizonbenefutsconnection.com>, <verizonbenegitsconnection.com>, <verizonbeneiftsconnection.com>, <verizonbenefitsconnection.com>, <verizonbenfeitsconnection.com>, <verizonbennefitsconnection.com>, <verizonbenrfitsconnection.com>, <verizonbenwfitsconnection.com>, <verizonbneefitsconnection.com>, <verizonbrnefitsconnection.com>, <verizonbwnefitsconnection.com>, <verizonebnefitsconnection.com>, <verizonenefitsconnection.com>, <verizonnbenefitsconnection.com>, <verizonnenefitsconnection.com>, <verizonvenefitsconnection.com>, <vverizonbenefitsconnection.com>, are registered with Chengdu West Dimension Digital Technology Co., Ltd. (the "Registrar").

3. Procedural History

The Complaint in English was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 17, 2022. On June 22, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 23, 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 June 23, 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 on June 27, 2022.

On June 23, 2022, the Center sent an email in English and Chinese to the Parties regarding the language of the proceeding. The Complainant confirmed its request that English be the language of the proceeding on June 23, 2022. The Respondent did not comment on the language of the proceeding.

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 in English and Chinese of the Complaint, and the proceedings commenced on June 29, 2022. In accordance with the Rules, paragraph 5, the due date for Response was July 19, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 20, 2022.

The Center appointed Jonathan Agmon as the sole panelist in this matter on July 22, 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, Verizon Trademark Services LLC, is an intellectual property holding company and the owner of numerous trademark and service mark registrations consisting of or incorporating “VERIZON” (collectively, the “VERIZON Marks”). The Complainant states that it has granted its affiliate, Verizon Licensing Company (“VLC”), an exclusive license to sublicense the use of the VERIZON Marks to the Complainant’s affiliates and third parties. VLC has granted such licenses to Verizon Communications Inc. and its subsidiaries (“Verizon Companies”). The Complainant, VLC and the Verizon Companies are collectively referred to as “Verizon”.

Verizon Communications Inc. was incorporated on June 30, 2000 and is one of the world’s leading providers of technologies and communications products and services. Verizon is headquartered in New York, United States, and generated some USD 133 billion in revenue in 2021 and has a workforce of approximately 118,400 employees. Verizon offers voice, data, and video services and solutions on its networks and platforms, delivering on customers’ demand for mobility, reliable network connectivity, security, and control. Verizon operates in over 150 countries, including in China. Verizon states that it has substantially invested in advertising and promoting its VERIZON brand on products and services around the world, thereby acquiring goodwill and reputation.

Verizon owns numerous VERIZON Marks registrations around the world, including in the United States and China, such as but not limited to:

- United States Trademark Registration No. 2,886,813 for VERIZON, registered on September 21, 2004;
- United States Trademark Registration No. 2,879,802 for **verizon**, registered on August 31, 2004;
- China Trademark Registration No. 35978665 for VERIZON, registered on September 14, 2021;

- China Trademark Registration No. 35978665A for VERIZON, registered on September 7, 2020;
- China Trademark Registration No. 44522087 for VERIZON, registered on November 28, 2020
- China Trademark Registration No. 44527943 for VERIZON, registered on March 14, 2021; and
- China Trademark Registration No. 35963753 for VERIZON, registered on February 7, 2021.

Verizon also states that it owns the domain name <verizon.com> which advertises and provides information concerning its products and services.

The disputed domain names were registered on January 13, 2022 and all resolved to active websites with Pay-Per-Click (“PPC”) links which appear to generate click-through commissions.

5. Parties’ Contentions

A. Complainant

The Complainant argues that the disputed domain names are confusingly similar to the Complainant’s registered VERIZON mark as the disputed domain names comprise of the Complainant’s VERIZON mark in its entirety, or in some of the disputed domain names, substituting a letter of and/or adding a letter to, the VERIZON mark. The disputed domain names also comprise of various misspellings of other English words “benefits connection” and in some of the disputed domain names, other common terms such as “my”, and the addition of the generic Top-Level Domain (“gTLD”) “.com”.

The Complainant also argues that the Respondent has no rights or legitimate interests in respect of the disputed domain names as it has not licensed or permitted the Respondent to use any of its trademarks or register the disputed domain names. The Respondent is not using the disputed domain names in connection with a *bona fide* offering of goods or services and is not making a legitimate noncommercial or fair use of the disputed domain names.

The Complainant further argues that the disputed domain names were registered and are being used in bad faith as the Respondent was well aware of the Complainant and its VERIZON mark at the time of registration of the disputed domain names and that the Respondent has registered and is using the disputed domain names to attempt to attract, for commercial gain, Internet users to the Respondent’s websites by creating a likelihood of confusion with the Complainant’s marks as to the source, sponsorship, affiliation, or endorsement of the Respondent’s websites. The Respondent is also engaging in typosquatting of the disputed domain names.

B. Respondent

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

6. Discussion and Findings

6.1 Language of the Proceeding

Paragraph 11 of the Rules provides that: “(a) Unless otherwise agreed by the Parties, or specified otherwise in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding.”

The language of the Registration Agreement for the disputed domain names is Chinese.

The Complainants requested that the language of the proceeding be English.

The Respondent did not comment on the language of the proceeding.

The Panel cites the following with approval:

“Thus, the general rule is that the parties may agree on the language of the administrative proceeding. In the absence of this agreement, the language of the Registration Agreement shall dictate the language of the proceeding. However, the Panel has the discretion to decide otherwise having regard to the circumstances of the case. The Panel’s discretion must be exercised judicially in the spirit of fairness and justice to both parties taking into consideration matters such as command of the language, time, and costs. It is important that the language finally decided by the Panel for the proceeding is not prejudicial to either one of the parties in his or her abilities to articulate the arguments for the case.” (See *Groupe Auchan v. xmxzl*, WIPO Case No. [DCC2006-0004](#)).

The Panel finds that in the present case, the following should be taken into consideration upon deciding on the language of the proceeding:

- (i) the Complainant is unable to communicate in Chinese and may be unduly disadvantaged by having to conduct the proceeding in the Chinese language;
- (ii) the disputed domain names contain Latin characters instead of Chinese characters;
- (iii) the sponsored links on the landing pages to which the disputed domain names resolve are in English;
- (iv) the disputed domain names contain the Complainant’s trademark, or intentional misspellings thereof, in conjunction with the English words “benefits” and “connection”, or intentional misspellings of one or both of those terms;
- (v) if translation is required, the Complainant would incur considerable costs and there would be an undue delay of the proceeding; and
- (vi) the Respondent appears based on points (ii) and (iv) above to be able to understand and communicate in English.

Upon considering the above, the Panel determines that English be the language of the proceeding.

6.2 Substantive Issues

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. The disputed domain names comprise of the Complainant’s VERIZON mark in its entirety, or in some of the disputed domain names, substituting a letter of and/or adding a letter to, the VERIZON mark, by instance, replacing the letter “z” with the letter “x” in VERIZON or adding an extra letter “v” to the beginning of VERIZON. The disputed domain names also comprise of various misspellings of other English words “benefits connection” and in some of the disputed domain names, other common terms such as “my”, and the addition of the gTLD “.com”.

Here, the inclusion, addition and/or substitution of letters in the Complainant’s VERIZON mark in conjunction with the English words “benefits connection” and/or “my” and/or “com” and/or their various intentional misspellings, do not prevent a finding of confusing similarity. It is also well established that the addition of a gTLD “.com” is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. (See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.11.1).

Consequently, the Panel finds that the Complainant has shown that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

Once the complainant establishes a *prima facie* case that the respondent lacks rights or legitimate interests in the disputed domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the disputed domain name (see [WIPO Overview 3.0](#), section 2.1).

In the present case, the Complainant has demonstrated *prima facie* that the Respondent lacks rights or legitimate interests in respect of the disputed domain names and the Respondent has failed to assert any such rights or legitimate interests. The Complainant has provided evidence that it owns trademark registrations for the VERIZON mark before the disputed domain names were registered. The Complainant is not affiliated with nor has it licensed or otherwise permitted the Respondent to use the Complainant's trade mark (see *LEGO Juris A/S v. DomainPark Ltd, David Smith, Above.com Domain Privacy, Transure Enterprise Ltd, Host master*, WIPO Case No. [D2010-0138](#)). There is also no evidence on record showing that the Respondent is commonly known by any of the disputed domain names (see [WIPO Overview 3.0](#), section 2.3).

Further, the Respondent did not submit a Response in the present case and did not provide any explanation or evidence to show rights or legitimate interests in the disputed domain names to rebut the Complainant's *prima facie* case. There can indeed be little doubt the Respondent unfairly sought to target the Complainant with the disputed domain names.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names.

C. Registered and Used in Bad Faith

The complainant must also show that the respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)).

The Complainant has submitted evidence that the disputed domain names resolved to parked pages comprising PPC links, which appear to generate click-through commissions.

In this case, the evidence shows that the Complainant's VERIZON Marks were registered prior to the registration of the disputed domain names. Given the portfolio of the Complainant's VERIZON Marks and the significant reputation of the Complainant, the Respondent is unlikely to have registered the 72 disputed domain names without sight and knowledge of the Complainant's marks and it is implausible that there is any good faith use to which the (typo) disputed domain names may be put to.

It is also the Complainant's evidence that the Respondent could not have registered the disputed domain names without prior knowledge of the Complainant's marks, especially given the Respondent practice to engage in typosquatting in relation to the disputed domain names comprising the Complainant's trademarks, as the Respondent's name has no connection with the Complainant's VERIZON marks. This is another indicator of bad faith on the part of the Respondent (see *Edmunds.com, Inc. v. Digi Real Estate Foundation*, WIPO Case No. [D2006-1043](#); *Verizon Trademark Services LLC v. NA, NA NA*, WIPO Case No. [D2011-0295](#)).

The Respondent did not submit a Response in this proceeding which is a further indication of the Respondent's bad faith, which was considered by the Panel.

In the particular circumstances of the present case and based on the fact that the disputed domain names appear to be typosquatted variations of the Complainant's "www.verizonbenefitsconnection.com" website which is an online Verizon's "Benefits Connection" tool offered to current and former Verizon employees, and that the third party links on the disputed domain names websites include "User Id", "Login ID", "My User Id" which are related to the Complainant's website, it is clear to the Panel that the Respondent specifically targeted the Complainant and its marks and registered the disputed domain names to divert traffic and

benefit commercially from unsuspecting Internet users seeking out the Complainant. It has also been held and the Panel agrees that the use of domain names to host a website comprising PPC links does not represent a *bona fide* offering where such links capitalize on the good will of the complainant's trademarks or is otherwise intended to mislead Internet users. See *Taojing International Ltd., Taojing International Limited and Zenni Optical, Inc. v. Domain Administrator, Fundacion Privacy Services Ltd*, WIPO Case No. [D2022-0775](#); *Paris Hilton v. Deepak Kumar*, WIPO Case No. [D2010-1364](#).

Based on the evidence presented to the Panel, including the confusing similarity between the disputed domain names and the Complainant's marks, the fact that the disputed domain names were used to host parked pages comprising PPC links to generate click-through commissions (which included user login and benefit-related terms), the fact that no Response was submitted by the Respondent in response to the Complaint, the Panel draws the inference that the disputed domain names were registered and are being used in bad faith.

The Panel also notes that the Respondent has a history of abusive domain name disputes against third-party trademark owners.

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, <comverizonbenefitsconnection.com>, <myverizonbenefitsconnection.com>, <verisonbenefitsconnection.com>, <verixonbenefitsconnection.com>, <verizonbbenefitsconnection.com>, <verizonbeefitsconnection.com>, <verizonbemefitsconnection.com>, <verizonbeneditsconnection.com>, <verizonbeneffitsconnection.com>, <verizonbenefiitsconnection.com>, <verizonbenefirsconnection.com>, <verizonbenefistconnection.com>, <verizonbenefitaconnection.com>, <verizonbenefitcsonnection.com>, <verizonbenefitdconnection.com>, <verizonbenefitscconnection.com>, <verizonbenefitscnonection.com>, <verizonbenefitscobnection.com>, <verizonbenefitscconnection.com>, <verizonbenefitsconbection.com>, <verizonbenefitsconenction.com>, <verizonbenefitsconneccion.com>, <verizonbenefitsconnctetion.com>, <verizonbenefitsconnction.com>, <verizonbenefitsconneccion.com>, <verizonbenefitsconnectiton.com>, <verizonbenefitsconnecrion.com>, <verizonbenefitsconnectiin.com>, <verizonbenefitsconnectiion.com>, <verizonbenefitsconnectino.com>, <verizonbenefitsconnectiom.com>, <verizonbenefitsconnectionoon.com>, <verizonbenefitsconnectipn.com>, <verizonbenefitsconnecti0n.com>, <verizonbenefitsconnectlon.com>, <verizonbenefitsconnectoin.com>, <verizonbenefitsconnectuon.com>, <verizonbenefitsconnechyion.com>, <verizonbenefitsconneection.com>, <verizonbenefitsconnevtion.com>, <verizonbenefitsconneccion.com>, <verizonbenefitsconnrction.com>, <verizonbenefitsconnwction.com>, <verizonbenefitscoonection.com>, <verizonbenefitsc0nnection.com>, <verizonbenefitsonnection.com>, <verizonbenefitssconnection.com>, <verizonbenefitsvonnection.com>, <verizonbenefitsxonnection.com>, <verizonbenefitssconnection.com>, <verizonbenefiysconnection.com>, <verizonbenefitsconnection.com>, <verizonbenefotsconnection.com>, <verizonbenefitsconnection.com>, <verizonbenefitsconnection.com>, <verizonbenefutsconnection.com>, <verizonbenegitsconnection.com>, <verizonbeneiftsconnection.com>, <verizonbeneitsconnection.com>, <verizonbenfeitsconnection.com>, <verizonbennefitsconnection.com>, <verizonbenrfitsconnection.com>, <verizonbenwfitsconnection.com>, <verizonbneefitsconnection.com>, <verizonbrnefitsconnection.com>, <verizonbwnefitsconnection.com>, <verizonebnefitsconnection.com>, <verizonenefitsconnection.com>, <verizonnbenefitsconnection.com>, <verizonnenefitsconnection.com>, <verizonvenefitsconnection.com>, <vverizonbenefitsconnection.com>, be transferred to the Complainant.

/Jonathan Agmon/

Jonathan Agmon

Sole Panelist

Date: August 5, 2022