

ADMINISTRATIVE PANEL DECISION

QatarEnergy v. QATAR ENERGY, biddings-qatarenergy; Asna Will, eoi-qatarenergy; Jerry sea, qatarenergy-bid; QATAR ENERGY, QATAR ENERGY; Carr Hank, bid-qatarenergy; and Wendy trent, contractor-qatarenergy
Case No. D2023-0231

1. The Parties

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

The Respondents are QATAR ENERGY, biddings-qatarenergy, United States of America (“United States”); Asna Will, eoi-qatarenergy, United States; Jerry sea, qatarenergy-bid, United States; QATAR ENERGY, QATAR ENERGY, United States; Carr Hank, bid-qatarenergy, United States; and Wendy trent, contractor-qatarenergy, United States.

2. The Domain Names and Registrar

The disputed domain names <biddings-qatarenergy.com>, <bid-qatarenergy.com>, <contractor-qatarenergy.com>, <contracts-qatarenergy.com>, <eoi-qatarenergy.com>, and <qatarenergy-bid.com> are registered with Tucows Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 18, 2023 in respect of the disputed domain names <biddings-qatarenergy.com>, <contracts-qatarenergy.com>, <eoi-qatarenergy.com>, and <qatarenergy-bid.com>. On January 19, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with these disputed domain names. On January 19, 2023, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names <biddings-qatarenergy.com>, <contracts-qatarenergy.com>, <eoi-qatarenergy.com>, and <qatarenergy-bid.com>, which differed from the named Respondent (Redacted for Privacy, Contact Privacy Inc. Customer 0165842683, and Contact Privacy Inc. Customer 0165816330) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 27, 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 the first amended Complaint on February 1, 2023, also adding the disputed domain names <bid-qatarenergy.com> and <contractor-qatarenergy.com> to the dispute. The Center transmitted the

request for registrar verification in connection with these two disputed domain names on February 3, 2023, to which the Registrar responded on the same day, disclosing registrant and contact information for these two disputed domain names, which differed from the named Respondent (Contact Privacy Inc. Customer 0166217370, and Contact Privacy Inc. Customer 0166217572) and contact information in the first amended Complaint. The Center sent an email communication to the Complaint with the registrant and contact information disclosed by the Registrar regarding these two disputed domain names on February 8, 2023, and the Complainant filed a second amended Complaint on February 13, 2023, which included all disputed domain names.

The Center verified that the Complaint, together with the first and second amended Complaints, 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 of the Complaint, and the proceedings commenced on February 14, 2023. In accordance with the Rules, paragraph 5, the due date for Response was March 6, 2023. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on March 13, 2023.

The Center appointed Assen Alexiev as the sole panelist in this matter on March 20, 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 Complainant is a Qatari state-owned corporation founded in 1974, which operates all oil and gas activities in the State of Qatar, including the exploration, production, processing, marketing and sales of crude oil, natural gas, liquefied natural gas, gas to liquids products, refined products, petrochemicals, fuel additives and fertilisers. The Complainant also engages in trade with steel and aluminum, chartering of helicopters, investing in industrial and international projects, underwriting insurance, marine bunkering, bitumen, transportation and storage of oil, gas and refined petroleum products. In 2001, the Complainant was renamed and rebranded as Qatar Petroleum. In October 2021, the Complainant changed its name to "QatarEnergy", which rebranding was widely reported by the press. The Complainant is one of the world's leaders in the production of liquefied natural gas, and in 2018, it was the third largest oil corporation in the world by oil and gas reserves. The Complainant's revenues from oil and natural gas together amount to 60% of the national GDP of the State of Qatar.

The Complainant is the owner of the following trademark registrations for the sign QATARENERGY (the "QATARENERGY trademark"):

- the Austrian trademark QATARENERGY (Figurative) with registration No. 316677, registered on December 17, 2021 for goods and services in International Classes 1, 4, 37, and 42;
- the United Kingdom trademark QATARENERGY (Figurative) with registration No. UK00003708704, registered on January 7, 2022 for goods and services in International Classes 1, 4, 37, 39, 40, 41, 42, 43, and 45;
- the European Union trademark QATAR ENERGY (Figurative) with registration No. 018573702, registered on April 19, 2022 for goods and services in International Classes 1, 4, 37, 39, 40, 41, 42, 43, and 45;
- the European Union trademark QATAR ENERGY (Figurative) with registration No. 018573695, registered on April 19, 2022 for goods and services in International Classes 1, 4, 37, 39, 40, 41, 42, 43 and 45; and

- the European Union trademark QATAR ENERGY (Figurative) with registration No. 018573696, registered on April 20, 2022 for goods and services in International Classes 1, 4, 37, 39, 40, 41, 42, 43, and 45.

The Complainant is also the owner of the domain names <qatarenergy.qa> and <qatarenergy.com.qa>, which resolve to the Complainant's main website.

The disputed domain names were registered and have been used as follows:

Disputed domain name	Date of registration	Registrant	Use at the time of filing of the Complaint	Previous use
<contracts-qatarenergy.com>	October 11, 2022	QATAR ENERGY, QATAR ENERGY	inactive	resolved to a Zoho parking webpage
<qatarenergy-bid.com>	November 27, 2022	Jerry sea, qatarenergy-bid	inactive	resolved to a Zoho parking webpage
<eoi-qatarenergy.com>	November 30, 2022	Asna Will, eoi-qatarenergy	inactive	resolved to a Zoho parking webpage, and also used for sending fraudulent emails
<biddings-qatarenergy.com>	December 5, 2022	QATAR ENERGY, biddings-qatarenergy	inactive	resolved to a Zoho parking webpage
<bid-qatarenergy.com>	January 15, 2023	Carr Hank, bid-qatarenergy	resolved to a Zoho parking webpage	resolved to a Zoho parking webpage
<contractor-atarenergy.com>	January 15, 2023	Wendy trent, contractor-qatarenergy	resolved to a Zoho parking webpage	resolved to a Zoho parking webpage

At the time of this Decision, all of the disputed domain names resolve to inactive websites.

5. Parties' Contentions

A. Complainant

The Complainant states that the disputed domain names are confusingly similar to its QATARENERGY trademark, because they incorporate in its entirety the textual element QATARENERGY, which is a principal feature of the Complainant's trademark, with the addition of the dictionary words "bid", "biddings", "eoi" (abbreviation for "expression of interest"), "contracts" and "contractor", and a hyphen. The textual element of its trademark, QATARENERGY, is easily recognizable in the disputed domain names.

According to the Complainant, the Respondents have no rights or legitimate interests in respect of the disputed domain names, because they have not used them in connection with a *bona fide* offering of goods

or services or carried out a legitimate noncommercial or fair use of them. Rather, the Respondents have used the QatarEnergy name and logo in fraudulent emails targeting prospective vendors and impersonating the Complainant through an email account at the disputed domain name <eoi-qatarenergy.com> as part of a phishing scheme. Recipients of these emails who express an interest are then asked to provide a mandatory registration deposit payment. According to the Complainant, the composition of all of the disputed domain names indicates that they have been registered to use in connection with a similar fraudulent scheme, and the fact that the disputed domain names <biddings-qatarenergy.com>, <contracts-qatarenergy.com>, <qatarenergy-bid.com>, <bid-qatarenergy.com>, and <contractor-qatarenergy.com> used to resolve or still resolve to the same parking webpage does not support a conclusion that they have been used in connection with a *bona fide* offering of goods and services or for a legitimate noncommercial or fair use.

The Complainant maintains that the Respondents cannot claim that they are commonly known by the disputed domain names. Although the underlying registrant details identify the registrant organizations as “biddings-qatarenergy”, “Qatar Energy”, “eoi-qatarenergy”, “qatarenergy-bid”, “bid-qatarenergy”, and “contractor-qatarenergy” in the states of Pennsylvania, California and Delaware in the United States, no companies under these names exist in these states, so the inclusion of “biddings-qatarenergy”, “Qatar Energy”, “eoi-qatarenergy”, “qatarenergy-bid”, “bid-qatarenergy”, and “contractor-qatarenergy” in the WhoIs records does not support a conclusion that the Respondents are commonly known by the disputed domain names. According to the Complainant, the Respondents have not acquired any trademark registrations for “Qatarenergy”, and its use of the disputed domain names does not support a claim of being commonly known by the disputed domain names, and does not give rise to any reputation in the disputed domain names themselves.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. The Complainant notes that it has acquired considerable renown and goodwill worldwide in connection with oil and gas activities, and its recent rebranding to QATARENERGY in October 2021 was widely reported by the international press. The Complainant’s QATARENERGY trademark predates the registration date of the disputed domain names, and all the top results for the term “Qatarenergy” into the Google search engine refer to the Complainant. The fact that the disputed domain name <eoi-qatarenergy.com> was used as part of a fraudulent scheme impersonating the Complainant shows the Respondents’ intent to target the Complainant in bad faith at the time of registration of this disputed domain name.

The Complainant adds that the non-use of the other disputed domain names would not prevent a finding of bad faith use under the doctrine of passive holding. In light of their composition, the disputed domain names carry a risk of implied affiliation with the Complainant and there is no plausible good-faith use to which they could be put that would not mislead consumers as to the source or affiliation of the disputed domain names. In the Complainant’s view, the presence of the disputed domain names in the hands of the Respondents represents an abusive threat hanging over the head of the Complainant and capable of being triggered by the Respondents at any time.

B. Respondents

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

6. Discussion and Findings

6.1. Procedural issue – Consolidation of the Respondents

The Complainant requests the consolidation of the Respondents. It asserts that the disputed domain names are subject to common control by the same person or by connected persons, which control is shown by the following:

- The disputed domain names were registered within a short three-month period using the same Registrar and the same name servers;
- The disputed domain names <bid-qatarenergy.com> and <contractor-qatarenergy.com> were registered only three days after the Registrar suspended the disputed domain names <contracts-qatarenergy.com>, <eoi-qatarenergy.com>, and <qatarenergy-bid.com>;
- The disputed domain names <biddings-qatarenergy.com>, <contracts-qatarenergy.com>, <eoi-qatarenergy.com>, and <qatarenergy-bid.com> previously resolved to the same Zoho parking webpage, and the disputed domain names <bid-qatarenergy.com> and <contractor-qatarenergy.com> still resolve to the same Zoho parking webpage;
- All of the disputed domain names have a similar composition, including the Complainant's QATARENERGY trademark and the dictionary words "bid", "biddings", "eoi", "contracts" and "contractor", separated with a hyphen, and all of them are registered under the ".com" generic Top-Level Domain ("gTLD");
- The disputed domain names were registered using Whois details which present various similarities and are likely false. The email addresses used to register the disputed domain names do not seem related to the names and/or organizations of the supposed registrants, and were registered using Gmail or Yahoo email addresses. The physical address for the disputed domain name <biddings-qatarenergy.com> is inaccurate as the city is missing, and the associated email address is composed of a string of adjacent letters on standard QWERTY and AZERTY keyboards and appears to be randomly chosen by the registrant. The email addresses listed for the disputed domain names <eoi-qatarenergy.com> and <qatarenergy-bid.com> are constructed in a similar fashion, comprising the supposed registrants' names and surnames with the digits "0" and "1", and the disputed domain names <biddings-qatarenergy.com> and <contracts-qatarenergy.com> were registered using an obviously false telephone number comprising all the digits from 1 to 9 in consecutive order and similar physical addresses. The disputed domain names <contractor-qatarenergy.com> and <bid-qatarenergy.com> were registered using the same email address but different registrant names and organizations. The disputed domain names <qatarenergy-bid.com> and <contractor-qatarenergy.com> were registered using the same address, while the disputed domain name <bid-qatarenergy.com> was registered using a slight variation of the same address.

The Complainant adds that the addresses, associated with the disputed domain names <qatarenergy-bid.com> and <contractor-qatarenergy.com>, and the address, associated with the disputed domain name <contracts-qatarenergy.com>, were used by the respondents in *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, biddingqatarenergy, Contact Privacy Inc. Customer 0165575216 / Qatar Energy, project-qatarenergy*, WIPO Case No. [D2022-4080](#), where the Complainant obtained the transfer of several domain names composed similarly to the disputed domain names.

The Complainant further notes that the email address, associated with the disputed domain name <eoi-qatarenergy.com>, was previously used to register the domain name <registration-qatarenergy.com> in *QatarEnergy v. Rachel Adam and Andrew Jerry*, WIPO Case No. [D2023-0012](#).

Paragraph 10(e) of the Rules grants a panel the power to consolidate multiple domain name disputes, and paragraph 3(c) of the Rules provides that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain-name holder. As discussed in section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), where a complaint is filed against multiple respondents, panels look at whether the domain names or

corresponding websites are subject to common control, and whether the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario. Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants' identity(ies) including pseudonyms, (ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s).

The Complainant has shown that many of the above factors are present here. As submitted by it, the disputed domain names were registered within a short period of time with the same Registrar and using the same name servers, and two of them were registered only three days after the Registrar suspended three of the other disputed domain names, while all of the disputed domain names previously resolved to the same parking webpage or still resolve to it. All of the disputed domain names indeed have a similar composition, and were registered using Whois details that have various similarities and appear as incorrect or false. These considerations satisfy the Panel that it is more likely than not that all of the disputed domain names are under common control.

The Center has discharged its duties to notify the registrants of the disputed domain names of this proceeding. None of the listed registrants of the disputed domain names has submitted any Response in this proceeding or objected to the consolidation request of the Complainant; none of them has advanced any reasons why it may not be equitable to allow the consolidation of the disputes. It appears that the consolidation would lead to procedural efficiency, and the Panel is not aware of any reasons why the consolidation would not be fair and equitable to all Parties.

Therefore, the Panel is satisfied that there are good reasons why the consolidation of the Respondents and disputes related to the disputed domain names in a single proceeding is justified and appropriate in the circumstances, and decides to allow the consolidation of the disputes in relation to all of the disputed domain names in the present proceeding.

6.2. Substantive issues

Pursuant to the Policy, paragraph 4(a), the Complainant must prove each of the following to justify the transfer of the disputed domain names:

- (i) each of the disputed domain names is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names were registered and are being used in bad faith.

By the Rules, paragraph 5(c)(i), it is expected of a respondent to: “[r]espond specifically to the statements and allegations contained in the complaint and include any and all bases for the Respondent (domain name holder) to retain registration and use of the disputed domain name [...]”

None of the Respondents has however submitted a Response or disputed the Complainant's contentions and evidence in this proceeding.

A. Identical or Confusingly Similar

The Complainant has provided evidence that it is the owner of the QATARENERGY trademark. In view of this, the Panel accepts that the Complainant has established its rights in this trademark for the purposes of the present proceeding.

The Panel notes that a common practice has emerged under the Policy to disregard in appropriate circumstances the gTLD section of the domain names for the purposes of the comparison under the Policy, paragraph 4(a)(i). See section 1.11.1 of the [WIPO Overview 3.0](#). The Panel sees no reason not to follow the same approach here, so it will disregard the “.com” gTLD of the disputed domain names.

Each of the disputed domain names incorporates the textual elements of the Complainant’s QATARENERGY trademark in combination with one of the words “bid”, “biddings”, “eoi”, “contracts” and “contractor”, separated by a hyphen. The QATARENERGY trademark is easily recognizable in all of them. As discussed in section 1.8 of the [WIPO Overview 3.0](#), in cases where the relevant trademark is recognizable within the disputed domain name, the addition of other terms would not prevent a finding of confusing similarity under the first element.

In view of the above, the Panel finds that the disputed domain names are confusingly similar to the QATARENERGY trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

While the overall burden of proof in UDRP proceedings is on the complainant, UDRP panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a *prima facie* case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See section 2.1 of the [WIPO Overview 3.0](#).

The Complainant contends that the Respondents have no rights or legitimate interests in the disputed domain names, because they have not acquired any trademark registrations for “Qatarenergy” and have not used the disputed domain names in connection with a *bona fide* offering of goods or services or a legitimate noncommercial or fair use. Rather, the Respondents have used the disputed domain name <eoi-qatarenergy.com> to set up an email account that was used for sending fraudulent emails in connection with an advance fraud phishing scheme targeting prospective vendors of the Complainant and asking them to provide a mandatory registration deposit payment. According to the Complainant, the composition of all of the disputed domain names indicates that they have been registered to use in connection with a similar fraudulent scheme. The Complainant maintains that the Respondents cannot claim that they are commonly known by the disputed domain names. Although the underlying registrant details identify the registrant organizations as “Qatar Energy”, “biddings-qatarenergy”, “eoi-qatarenergy”, “qatarenergy-bid”, “bid-qatarenergy”, or “contractor-qatarenergy”, no companies under these names exist in the states of Pennsylvania, California and Delaware in the United States, which states are indicated as the locations of the registrants of the disputed domain names. Thus, the Complainant has established a *prima facie* case that the Respondents lack rights or legitimate interests in the disputed domain names.

None of the Respondents has submitted a Response or disputed the Complainant’s submissions or advanced any arguments or evidence why they should be considered as having rights or legitimate interests in any of the disputed domain names.

The Respondents have registered six disputed domain names that are all confusingly similar to the QATARENERGY trademark and contain additional elements related to bidding, contracts and expressions of interest, which makes them appear as related to the activities of prospective vendors of the Complainant.

One of them had been used for setting up an email account that was then used for the transmission of messages impersonating the Complainant, and attempted to induce their recipients to make advance deposit payments if they were interested in dealing with the Complainant. All of the disputed domain names previously resolved to identical parking webpages.

In view of the above, and as discussed in section 6.1. above, it is more likely than not that the disputed domain names are under common control and have been registered, and one of which has been used as part of a scheme to impersonate the Complainant for illegitimate activities such as phishing and an advance fee fraud. Such conduct is not legitimate and does not give rise to rights or legitimate interests of the Respondents in the disputed domain names.

Therefore, the Panel finds that the Respondents do not have rights or legitimate interests in the disputed domain names.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy lists four illustrative alternative circumstances that shall be evidence of the registration and use of a domain name in bad faith by a respondent, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The disputed domain names are all confusingly similar to the QATARENERGY trademark incorporating the terms that appear to be related to the activities of prospective vendors of the Complainant. One of the disputed domain name has been used for sending messages impersonating the Complainant to solicit advance deposit payments, while all of the disputed domain names previously resolved to identical parking webpages. None of the Respondents provides any plausible explanation for the registration and use of the disputed domain names. As discussed in section 6.1. above, it is more likely than not that all of the disputed domain names are under common control.

Taking the above into account, the Panel concludes that it is more likely than not that the Respondents have registered the disputed domain names acting in concert, with knowledge of the Complainant and targeting the QATARENERGY trademark in an attempt to confuse Internet users for financial gain. The fact that all of the disputed domain names are currently inactive does not prevent a finding of bad faith under the doctrine of passive holding, as any good faith use to which they may be put appears to be implausible. See section 3.3 of the [WIPO Overview 3.0](#).

Therefore, the Panel finds that the disputed domain names have been registered and 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 names <biddings-qatarenergy.com>, <bid-qatarenergy.com>, <contractor-qatarenergy.com>, <contracts-qatarenergy.com>, <eoi-qatarenergy.com>, and <qatarenergy-bid.com> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: April 3, 2023