

## **ADMINISTRATIVE PANEL DECISION**

**IQVIA Inc. v. trudy georgina**  
**Case No. D2023-2040**

### **1. The Parties**

Complainant is IQVIA Inc., United States of America (“United States”), represented by Moore & Van Allen, PLLC, United States.

Respondent is trudy georgina, United States.

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

The disputed domain names <iqviiia.com> and <quintiles.com> are registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2023. On May 9, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 9, 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 (Redacted for Privacy, Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on May 19, 2023, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant submitted an amendment to the Complaint on May 23, 2023.

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 Respondent of the Complaint, and the proceedings commenced on June 5, 2023. In accordance with the Rules, paragraph 5, the due date for Response was June 25, 2023. Respondent did not submit a formal response. Accordingly, the Center notified Respondent’s default on July 6, 2023.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on July 14, 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**

Complainant is a company based in the United States. For several years prior to the registration of the disputed domain names, Complainant has offered biopharmaceutical and related goods and services under the mark IQVIA and the mark QUINTILES. In this regard, Complainant owns several trademark registrations for these marks. These include, among others, United States Registration No. 5,583,438 (registered October 16, 2018) for IQVIA and United States Registration No. 4,370,773 (registered July 23, 2013) for QUINTILES.

The disputed domain name <iqviiia.com> was registered on September 15, 2022. The disputed domain name <quiiintiles.com> was registered on September 18, 2022. Although it appears that the disputed domain names resolve to currently inactive webpages, Respondent has used email addresses associated with both of the disputed domain names to engage in potentially fraudulent behavior whereby Respondent posed as an official representative of Complainant, seeking to obtain sensitive personal and financial information from a prospective business partner. Respondent has no affiliation with Complainant. Complainant has not authorized any activities by Respondent, nor any use of its trademarks thereby.

#### **5. Parties' Contentions**

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

Complainant contends that (i) the disputed domain names are identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain names; and (iii) Respondent registered and is using the disputed domain names in bad faith.

Specifically, Complainant contends that it is the owner of registrations for the IQVIA and QUINTILES marks, as well as for the domain names <iqviiia.com> (registered July 30, 2015) and <quiiintiles.com> (registered July 22, 1995). Complainant contends that the disputed domain names consist solely of Complainant's IQVIA and QUINTILES marks, with only a deliberate misspelling, consisting of, in each of the disputed domain names, the inclusion of an additional letter "i".

Complainant contends that Respondent lacks rights or legitimate interest in the disputed domain names, and rather has registered and is using them in bad faith, having simply acquired the disputed domain names for Respondent's own commercial gain. In particular, Complainant contends that Respondent has acted in bad faith in sending out fraudulent emails that reference and refer to Complainant and impersonate an employee thereof, in an apparent attempt to confuse prospective business partners into providing sensitive personal and financial information.

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

Respondent did not reply to Complainant's contentions.

## 6. Discussion and Findings

### A. Identical or Confusingly Similar

This Panel must first determine whether the disputed domain names <iqviiia.com> and <quintiles.com> are identical or confusingly similar to a trademark or service mark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy. The Panel finds that they are. The disputed domain names directly incorporate Complainant's IQVIA and QUINTILES marks, but with a clear and obvious misspelling.

This indicates a practice commonly known as "typosquatting", where a domain name registrant deliberately registers common misspellings of a well-known mark in order to divert consumer traffic. Other UDRP panels have routinely found typosquatted domain names like these to be "confusingly similar" for purposes of a finding under the UDRP. See *Edmonds.com, Inc. v. Yingkun Guo*, WIPO Case No. [D2006-0694](#) (<edunds.com>); *Disney Enterprises, Inc. v. John Zuccarini, Cupcake City and Cupcake Patrol*, WIPO Case No. [D2001-0489](#) (<disneychannel.com>, <disneywolrd.com>, <walddisney.com>); See also *Credit Karma, Inc. v. Domain Admin, Whols Privacy Corp.*, WIPO Case No. [D2017-0194](#) (<credidkarma.com>).

The Panel therefore finds that the disputed domain name is identical or confusingly similar to a trademark in which Complainant has rights for purposes of paragraph (4)(a)(i) of the Policy.

### B. Rights or Legitimate Interests

The Policy provides some guidance to respondents on how to demonstrate rights or legitimate interests in the domain name at issue in a UDRP dispute. For example, paragraph 4(c) of the Policy gives examples that might show rights or legitimate interests in a domain name. These examples include: (i) use of the domain name "in connection with a *bona fide* offering of goods or services;" (ii) demonstration that Respondent has been "commonly known by the domain name;" or (iii) "legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue".

Respondent did not submit a reply to the Complaint, however. Rather, as mentioned in Section 4 of this Panel's decision, Respondent has used email accounts associated with the disputed domain names to engage in apparent phishing scheme, which can never confer rights or legitimate interests upon a respondent. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 2.13. Accordingly, the Panel finds that Complainant has made a *prima facie* showing of Respondent's lack of rights or legitimate interest in the disputed domain names, which Respondent has not rebutted.

### C. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. For example, paragraph 4(b)(iv) of the Policy states that bad faith can be shown where "by using the domain name [respondent has] intentionally attempted to attract, for commercial gain, Internet users to [respondent's] web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [respondent's] website or location or of a product or service on [the] web site or location". As noted in Section 4 of this Panel's decision, although the disputed domain names resolve to an inactive web page, Respondent has used the disputed domain names to set up email accounts in a manner apparently calculated to confuse potential business partners of Complainant into providing Respondent their sensitive personal and financial information.

Hence, Respondent is trading on the goodwill of Complainant's trademarks to attract Internet users, presumably for Respondent's own commercial gain. The Panel thus finds that despite the passive website use, Respondent

registered and used the disputed domain names with knowledge of Complainant's prior rights, thereby evidencing bad faith. See [WIPO Overview 3.0](#), section 3.4, which notes that prior “[p]anels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution”. Moreover, Respondent here did not reply to Complainant's contentions, and provided apparently false contact information resulting in an undeliverable address. Moreover, the use of the disputed domain names indicates an apparent familiarity with Complainant and its marks.

Overall, the Panel finds that Respondent registered and used the disputed domain names in bad faith for purposes of paragraph 4(a)(iii) of the Policy.

## **7. Decision**

For all 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 <iqviiia.com> and <quiintiles.com> be transferred to Complainant.

*/Lorelei Ritchie/*

**Lorelei Ritchie**

Sole Panelist

Dated: July 28, 2023