

ADMINISTRATIVE PANEL DECISION

Stichting Greenpeace Council v. American Holdings
Case No. D2023-4008

1. The Parties

The Complainant is Stichting Greenpeace Council, Netherlands (Kingdom of the), internally represented.

The Respondent is American Holdings, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <greenpeace.top> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 25, 2023. On September 26, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 26, 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 (PrivacyGuardian.org LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 2, 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 an amended Complaint October 3, 2023.

The Center verified that the Complaint 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 of the Complaint, and the proceedings commenced on October 5, 2023. In accordance with the Rules, paragraph 5, the due date for Response was October 25, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 2, 2023.

The Center appointed George R. F. Souter as the sole panelist in this matter on November 5, 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 well-known environmental lobbying organisation, with almost three million supporters worldwide, with national and regional offices in 40 countries. It has registered its GREENPEACE trademark widely throughout the world, in Latin and national language scripts as appropriate. These registrations include United States Trademark Registration No. 3461588, granted on July 8, 2008, in Class 35, in respect of “lobbying services, namely promoting the interests of environmentalists in the fields of politics, legislation and regulation regarding environmental politics and preservation”.

The disputed domain name was registered on July 23, 2023. And the time of filing the Complaint the disputed domain name resolved to an inactive website. However, the disputed domain name appears to have been registered as part of a fraudulent scheme.

5. Parties’ Contentions

A. Complainant

The Complainant alleges that the disputed domain name is confusingly similar to its GREENPEACE trademark.

The Complainant alleges that the Respondent lacks rights or legitimate interests in the disputed domain name, in particular, that the Respondent has never been granted permission to use its GREENPEACE trademark in connection with the registration of a domain name, or otherwise.

In connection with the registration and use of the disputed domain name in bad faith, the Complainant writes:

“The existence of the Greenpeace.top domain came to the attention of the Complainant as a result of complaints by Egyptian users of social media, which revealed that the domain is being used as part of a scam.

The person(s) perpetrating this scam have built a sophisticated array of social media profiles impersonating recruiters for Greenpeace East Asia or Greenpeace MENA. A screenshot example of such a profile is provided as Annex 4. Egyptian social media users have been contacted through these fake profiles, and have been encouraged to become promoters of a future Greenpeace presence in Egypt, with the promise of financial rewards. The scammers have sought to establish their credibility by providing forged documents such as a purported Certificate of Registration of Greenpeace International.

Subsequently, the fake recruiters have tried to induce these individuals to pay for training that supposedly would pave the way for more extensive future employment with Greenpeace entities, and to install an application for these purposes. A screenshot of the appearance of this page is provided as Annex 5.

These events leave no doubt whatsoever that the disputed domain was registered in bad faith, with the aim of using the good reputation associated with the GREENPEACE trademark to install software on the devices of targets of the scam and extract payments from them.”

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Panel recognizes the Complainant's GREENPEACE trademark to be well-known, and finds that the Complainant has rights to its GREENPEACE trademark for the purposes of these proceedings.

It is well-established in prior decisions under the Policy that the use of the generic Top-Level Domain ("gTLD") indicator may be disregarded when comparing a trademark with a disputed domain name. See Section 1.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"). Thus, the Panel finds that the gTLD ".top" may be disregarded in the present case.

The disputed domain name contains solely the Complainant's GREENPEACE trademark in its entirety, rendering the disputed domain name identical to the Complainant's trademark.

Accordingly, the Panel finds that the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

It is the consensus view of UDRP panels, with which the Panel agrees, that a *prima facie* case advanced by the complainant will generally be sufficient for the complainant to be deemed to have satisfied the requirement of paragraph 4(a)(ii) of the Policy, provided the respondent does not come forward with evidence demonstrating rights or legitimate interests in the disputed domain name.

The Respondent did not advance any claim of rights or legitimate interests in the disputed domain name to rebut this *prima facie* case.

Accordingly, the Panel finds that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel considers that the Respondent's adoption of a domain name identical to the Complainant's GREENPEACE trademark, and the Respondent's use of the disputed domain name as detailed above, was a deliberate attempt to use the Complainant's trademark for the Respondent's own illicit purposes, to the likely detriment of the Complainant.

Accordingly, the Panel finds that the disputed domain name was registered in bad faith.

Currently, the disputed domain name resolves to an inactive website. However, the use of the disputed domain name as part of a fraudulent scheme impersonating recruiters for the Complainant as detailed above is self-evidently use in bad faith, and the Panel so finds.

Accordingly, the Panel finds that the Complainant has satisfied the requirements 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 name, <greenpeace.top> be transferred to the Complainant.

/George R. F. Souter/

George R. F. Souter

Sole Panelist

Date: November 19, 2023