

ADMINISTRATIVE PANEL DECISION

G4S Limited v. Gambith Flockin

Case No. D2023-5269

1. The Parties

The Complainant is G4S Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is Gambith Flockin, United States of America (“US”).

2. The Domain Name and Registrar

The disputed domain name <g4s-globaltd.com> is registered with BigRock Solutions Pvt Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 19, 2023. On December 19, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 20, 2023, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

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 Respondent of the Complaint, and the proceedings commenced on January 2, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 22, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 30, 2024.

The Center appointed Andrew F. Christie as the sole panelist in this matter on February 7, 2024. 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 London-based global security company which provides security and facility services in around 90 countries across the world. Initially founded in 1901, the Complainant has been operating under its current name since 2004, when Group 4 Falck and Securicor merged. In 2021, the Complainant was acquired by Allied Universal, and presently has a network of more than 800,000 employees globally.

The Complainant is the owner of numerous trademark registrations in a wide range of territories for trademarks containing the term G4S, including US Trademark Registration No. 3378800 (registered on February 5, 2008) for the word trademark G4S. The Complainant is the registrant of the domain name <g4s.com> (registered December 1, 1999), which it uses to operate its main website.

The disputed domain name was registered on August 7, 2023. The Complainant has provided screenshots dated September 25, 2023, showing the disputed domain name resolved to a website that was stated to be that of “G4S Global Limited” and which purported to offer logistical services similar to the Complainant’s services. As of the date of this decision, the disputed domain name does not resolve to any website.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant contends that the disputed domain name is confusingly similar to the Complainant’s trademark G4S, on the basis that it incorporates the G4S mark in its entirety and that the addition of the terms “global” and “ltd” do not negate the confusing similarity, but instead reinforce it, given the Complainant’s global operations and use of “Limited” in its company name.

The Complainant contends that the Respondent does not have any rights or legitimate interests in the disputed domain name, on the basis that the Respondent does not have trademark rights to the term G4S, the Respondent has not received any license from the Complainant to use domain names containing the G4S trademark, and none of the circumstances stipulated in paragraph 4(c) of the Policy apply. In particular, the Respondent’s use of the disputed domain name to offer services similar to those of the Complainant is not a bona fide use.

The Complainant contends that the Respondent registered and is using the disputed domain name in bad faith, on the basis that the Complainant’s trademark registration predates the disputed domain name registration by 18 years, the disputed domain name incorporates the Complainant’s trademark in its entirety, and the Respondent has used the disputed domain name to create the impression of an association with the Complainant, thereby confusing and misleading Internet users seeking or expecting to reach the Complainant’s G4S offerings.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between

the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "global" and "ltd") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent used the disputed domain name to resolve to a website which claimed to be that of "G4S Global Limited" and which purported to offer logistical services similar to the Complainant's services, which is a clear case of attempted impersonation of the Complainant. Panels have held that the use of a domain name for illegal activity such as impersonation can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent registered the disputed domain name nearly two decades after the Complainant registered its trademark, and that the disputed domain name incorporates the Complainant's trademark in its entirety and adds terms ("global" and "ltd") that relate to the Complainant's operations and corporate name. It is clear the Respondent registered the disputed domain name with knowledge of the Complainant's trademark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity (here, impersonation) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <g4s-global ltd.com> be transferred to the Complainant.

/Andrew F. Christie/

Andrew F. Christie

Sole Panelist

Date: February 21, 2024