

ADMINISTRATIVE PANEL DECISION

Chevron Corporation and Chevron Intellectual Property LLC v. Easy Domains Case No. D2024-0170

1. The Parties

The Complainant is Chevron Corporation and Chevron Intellectual Property LLC, United States of America, represented by Demys Limited, United Kingdom.

The Respondent is Easy Domains, South Africa.

2. The Domain Name and Registrar

The disputed domain name <chevroncharityinc.com> (the "Domain Name") is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 16, 2024. On January 16, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 17, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 17, 2024, 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 January 19, 2024.

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 of the Complaint, and the proceedings commenced on January 22, 2024. In accordance with the Rules, paragraph 5, the due date for Response was February 11, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 14, 2024.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on February 23, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant Chevron Corporation is a multinational energy and technology company. It is the second largest energy company in the USA. It has an intellectual property holding company (the two companies behind the Complaint are hereinafter for simplicity referred to as “the Complainant”). The Complainant is ranked No. 23 in Fortune’s GLOBAL 500 list with a revenue of more than USD 240 billion in 2023. The Complainant has subsidiaries. It is involved in charity work, including in African countries.

The Complainant owns numerous CHEVRON trademark registrations around the world, such as US trademark no. 364683 (registered on February 14, 1939).

The Domain Name was registered on September 19, 2023. The Domain Name has resolved to an active website with content relating to oil, gas and energy services, including content relating to scholarships and education. Users are asked to provide personal details under the “Contact Us” section.

5. Parties’ Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and contends that the Domain Name is confusingly similar to the Complainant’s trademark. The Domain Name differing only by the addition of the generic terms “charity” and “inc”. The additions are insufficient to avoid a likelihood of confusion.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant asserts that the Respondent is not affiliated with the Complainant. There is no evidence of the Respondent being commonly known by the Domain Name. The Respondent has not made use of the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. Given the fame of the Complainant’s mark and the similarity of the Domain Name to said mark, there is no conceivable legitimate use to which the Domain Name could be put by the Respondent. The nature of the Domain Name carries a risk of implied affiliation.

Based on the fame of its trademark and the composition of the Domain Name, the Complainant believes it is implausible that the Respondent was unaware of the Complainant when the Respondent registered the Domain Name. The Respondent’s use of the Domain Name points to bad faith. Moreover, the Domain Name is configured with MX records and capable of email communication, and the Respondent has hidden behind a privacy service.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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 Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7.

The Complainant has established that it has rights in the trademark CHEVRON. The Domain Name incorporates the Complainant’s trademark with the addition of “charity” and “inc”. The additions do not prevent a finding of confusing similarity between the Domain Name and the trademark. When assessing paragraph 4(a)(i) of the Policy, the Panel may ignore the gTLD; see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name. While 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 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. [WIPO Overview 3.0](#), section 2.1.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent’s use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. The Respondent’s use of the Domain Name is evidence of bad faith, see below. Additionally, the Panel notes that the composition of the Domain Name carries risk of implied affiliation with the Complainant.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

The Respondent most likely knew of the Complainant when he registered the Domain Name. It follows from the composition and use of the Domain Name, and the fame of the Complainant. The Respondent’s use of the Domain Name is further evidence of bad faith. The Respondent has not offered any explanation to why it registered a domain name confusingly similar to the Complainant’s trademark, nor provided any evidence of actual or contemplated good faith use of the Domain Name. It is in the Panel’s opinion implausible that the Respondent may put the Domain Name into any good faith use. Under the circumstances of this case, the Respondent’s use of a privacy service and the configuration for email communication are further indications of bad faith.

Based on the available record, the Panel finds that the Complainant has established the bad faith element.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the Domain Name <chevroncharityinc.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: March 8, 2024