

ADMINISTRATIVE PANEL DECISION

Saudi Arabian Oil Co. v. Jeremy landon, aramccobids, james Mckenzie, aramccoproposal, Jared noks Franz, aramcco-projectsa, Khalid Ahmed, Kalu Iba, Phong Lu, Frenz Kanls, Zain Ashfaq Ahmed, Zain Hosting, Andreas Kililis, Host4You, William Holdings
Case No. D2024-0391

1. The Parties

The Complainant is Saudi Arabian Oil Co., Saudi Arabia, represented by Fish & Richardson P.C., United States of America (“United States”).

The First Respondent is Jeremy landon, aramccobids, United States.

The Second Respondent is james Mckenzie, aramccoproposal, United States.

The Third Respondent is Jared noks Franz, aramcco-projectsa, United States.

The Fourth Respondent is Khalid Ahmed, United Arab Emirates.

The Fifth Respondent is Kalu Iba, Nigeria.

The Sixth Respondent is Phong Lu, United States.

The Seventh Respondent is Frenz Kanls, United States.

The Eighth Respondent is Zain Ashfaq Ahmed, Zain Hosting, Pakistan.

The Ninth Respondent is Andreas Kililis, Host4You, Cyprus.

The Tenth Respondent is William Holdings, United States.

2. The Domain Names and Registrars

Domain Name	Registrar
<reg-aramco.com>	GoDaddy.com, LLC (“First Registrar”)
<aramcobids.com>	Hosting Concepts B.V. d/b/a Registrar.eu. (“Second Registrar”)
<aramco-contractors.com>	Hosting Concepts B.V. d/b/a Registrar.eu.
<aramconationaloilcompany-uae.com>	Hosting Concepts B.V. d/b/a Registrar.eu.
<aramcoproposal.com>	Hosting Concepts B.V. d/b/a Registrar.eu.
<aramco-aebids.com>	NameSilo, LLC (“Third Registrar”)
<aramcobiddingprocess.com>	NameSilo, LLC
<aramco-contracts.com>	NameSilo, LLC
<aramcosaudi-aetender.com>	NameSilo, LLC
<aramcotenders-uae.org>	NameSilo, LLC
<arancoproceduretae.com>	NameSilo, LLC
<saudiaramco-aetenders.com>	NameSilo, LLC
<uae-aramcoae.com>	NameSilo, LLC
<aramccobids.com>	Tucows Inc. (“Fourth Registrar”)
<aramcco-projectsa.com>	Tucows Inc.
<aramccoproposal.com>	Tucows Inc.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 25, 2024. On January 29, 2024, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On January 29, 2024, the Fourth Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Whois Privacy Protection Foundation) and contact information in the Complaint. On January 29, 2024, the First Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domains By Proxy, LLC, DomainsByProxy.com) and contact information in the Complaint. On January 30, 2024, the Second Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Contact Privacy Inc. Customer 0169087403, Contact Privacy Inc. Customer 0169087060, and Contact Privacy Inc. Customer 0169129603) and contact information in the Complaint. On January 30, 2024, the Third Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names 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 January 31, 2024 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed an amended Complaint on February 6, 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 February 16, 2024. In accordance with the Rules,

paragraph 5, the due date for Response was March 7, 2024. The Eighth Respondent sent an email communication to the Complainant which was forwarded to the Center on February 6, 2024. The Center did not receive a formal Response and the Respondent's default was notified on March 12, 2024. The Eighth Respondent sent an informal email communication to the Center on March 12, 2024.

The Center appointed Knud Wallberg as the sole panelist in this matter on March 20, 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, Saudi Arabian Oil Co., was established in 1933 and is an entity of the Saudi Aramco Group. The Complainant's group is one of the world's largest integrated energy and chemicals companies, maintaining operations in Saudi Arabia and internationally, with subsidiaries and affiliates in the United Arab Emirates, the United States, China, Egypt, India, Japan, the Netherlands (Kingdom of), Singapore, the Republic of Korea, and the United Kingdom.

The Complainant holds various registered trademarks for ARAMCO, including the following: European Union Registration No. 012676045 for ARAMCO, registered August 15, 2014, for goods and services in classes 1, 16 and 42; Saudi Arabia Registration No. 143306351 for ARAMCO, registered October 2, 2013, for goods in class 1; and United States Registration No. 7029421, registered April 18, 2023, for goods and services in classes 9, 35, 36 and 41.

The way the disputed domain names have been used is described in detail below in the paragraph dealing with the request to consolidate the Complaint to cover all of the disputed domain names.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the Complainant's registered trademark ARAMCO, since they either contain the exact trademark or a misspelling of the trademark with the mere addition of a geographical term and/or one or more descriptive or generic terms, and the generic Top-Level Domain (gTLD) ".com" or ".org."

Furthermore, none of the Respondents have rights or legitimate interests in the disputed domain names for purposes of Paragraph 4(c) of the Policy, as none of them are commonly known by the disputed domain names, that none of the Respondents are authorized or licensed to use the ARAMCO trademark, and since the Respondents 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.

The Complainant finally contends that the Respondents have registered and are using the disputed domain names in bad faith since the Respondents were fully aware of Aramco's rights in the ARAMCO trademark, they registered the disputed domain names, and as the Respondents are passing themselves off as Aramco to deceive unsuspecting individuals into believing that they are being contacted by an Aramco-authorized entity.

B. Respondent

The Respondent did not submit a formal Response to the Complainant's contentions.

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to 10 nominally different domain name registrants. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules since the Complainant thus believes that 16 disputed domain names are under common control for the following, specific reasons.

First, all the disputed domain names contain a version of the Complainant's name and trademark ARAMCO with a geographical term and/or a term(s) that relates to a non-existing registration and bidding process and/or proposal for consideration as partnering contractor/vendor/supplier for purported projects such as oil and gas contracts e.g., "proposal", "bids", "bidding", "contracts", "tender", "procurement", and/or "UAE" or "AE".

Second, all the disputed domain names, with the exception of one - <aramcobiddingprocess.com> - were registered within the same eight (8) week time period between October 2, 2023, and November 29, 2023.

Third, almost all the disputed domain names are being used in furtherance of a fraud and phishing scheme. Specifically, the email addresses associated the disputed domain names are being used to impersonate Aramco to send fraudulent emails that solicit money and personal information from vendors seeking partnership opportunities with Aramco. These email invitations request that vendors fill out an "assessment questionnaire" that requests, among other things, copies of various licenses and documents, audited financial statements, and a so-called "refundable" deposit.

The Eighth Respondent sent an email to the Complainant after being notified of the filed complaint in which he states that "we understand and accept the validity of the complainant's claims" and that "we are prepared to facilitate the prompt transfer of the mentioned domains to the complainant". The Complainant informed the WIPO Center of this email, while stating that "The Complainant intends to move forward with the proceeding to a full and final decision on the merits." The remaining 9 disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that despite the fact that the disputed domain names are registered by 10 nominally different registrants and with four different registrars, the way that the disputed domain names are used is not similarly divided, rather on the contrary.

The disputed domain names <aramccobids.com>, <aramco-contractors.com>, <aramccoproposal.com>, <aramcotenders-uae.org>, <aramcosaudi-aetender.com> and <arancoprocedureuae.com> are thus used to send invitations to a specific recipient to register as vendor by using the same email "[...]@salesforce.com" followed by an email address reflecting one of the listed domain names.

The emails that are sent by applying the disputed domain names <aramcocoproposal.com>, <aramco-aebids.com>, <aramcobids.com> and <uae-aramcoae.com> have the exact same wording.

The emails that are sent by applying the disputed domain names <saudiaramco-aetenders.com> and <aramconationaloilcompany-uae.com> are signed by an individual using the same name and claiming to be the UAE Vendor Coordinator.

The emails that are sent by applying the disputed domain names <reg-aramco.com> and <aramcco-projectsa.com> has different content but both signatories of the emails are using the same title Vendor Coordinator Group Procurement & Contracts Shared Services Center.

The disputed domain name <aramco-contracts.com> appears not to have been used to send fraudulent emails but the domain name is included in the above-mentioned email from the Eighth Respondent.

The disputed domain name <aramcobiddingprocess.com>, that redirects to the Complainant's official website, appears not to have been used to send fraudulent emails, but the domain name is composed in the same way as the other disputed domain names, just as the contact details of the disclosed Registrant, closely mimic those of those five other Respondents that are included in this Complaint that reportedly are located in the United States, namely a fake address in the United States and an email address at Gmail that is composed of either a name or term and a number.

Based on the above-described use and considering that the Registrants, except for one, appear to hide behind pseudonyms as registrant names, the obvious naming patterns in the disputed domain names and the fact that the disputed domain names have been used to targets a specific sector, this Panel finds that is it more likely than not that all of the 16 disputed domain names are subject to common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes regarding these disputed domain names would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") of the above-mentioned 16 disputed domain names in a single proceeding.

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 mark reproduced in within 12 of the disputed domain names, and the remaining 4 disputed domain names, namely <aramccobids.com>, <aramccoproposal.com>, <arancoproceduretae.com> and <aramcco-proposals.com>, contain misspellings of the Complainant's mark. Accordingly, the disputed domain names are all confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7, and section 1.9.

Although the addition of the other terms in all of the disputed domain names, 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 names 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 names. 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 names such as those enumerated in the Policy or otherwise.

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.

As described in detail above in the paragraph dealing with the consolidation of the Complaint, almost all of the disputed domain names have been used by the Respondent to send emails in which the Respondent passes off as ARAMCO.

The disputed domain name <aramco-contracts.com> appears not to have been used actively, but this does not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding, taking into account (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the composition of the disputed domain name and (iii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use. [WIPO Overview 3.0](#), section 3.3.

The disputed domain name <aramcobiddingprocess.com> is used actively to redirect to the Complainant’s official website, previous UDRP Panels have consistently found that the registration of a domain name like this one that incorporates a widely known trademark and a descriptive term by an unaffiliated entity and that is used to redirect to the Complainant’s official website is bad faith use since “the respondent retains control over the redirection thus creating a real or implied ongoing threat to the complainant”. [WIPO Overview 3.0](#), section 3.1.4.

The Panel therefore finds the Respondent’s registration and use of the disputed domain names constitutes bad faith under the Policy.

Consequently, the Panel finds that the Complainant has also established the third element 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 each of the disputed domain names <aramccobids.com>, <aramcco-projectsa.com>, <aramccoproposal.com>, <aramco-aebids.com>, <aramcobids.com>, <aramco-contractors.com>, <aramco-contracts.com>, <aramconationaloilcompany-uae.com>, <aramcoproposal.com>, <aramcosaudi-aetender.com>, <aramcotenders-uae.org>, <arancoproceduretae.com>, <reg-aramco.com>, <saudiaramco-aetenders.com>, <uae-aramcoae.com> and <aramcobiddingprocess.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: April 23, 2024