

ADMINISTRATIVE PANEL DECISION

Asurion, LLC v. Sat Wat, BITCOIN BUSINESS

Case No. D2024-1328

1. The Parties

Complainant is Asurion, LLC, United States of America, represented by Adams and Reese LLP, United States of America.

Respondent is Sat Wat, BITCOIN BUSINESS, United States of America.

2. The Domain Name and Registrar

The disputed domain name <connect-asurion.net> (the “Disputed Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 28, 2024. On March 28, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 3, 2024, 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, Whois Privacy Protection Foundation) and contact information in the Complaint. The Center sent an email communication to Complainant on April 15, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on April 17, 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 Respondent of the Complaint, and the proceedings commenced on April 25, 2024. In accordance with the Rules, paragraph 5, the due date for Response was May 15, 2024. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 17, 2024.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on May 28, 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 Disputed Domain Name was registered on March 27, 2024. The Disputed Domain Name directed to a login page mimicking Complainant's official employee login page.

Complainant offers insurance, technology, mobile phone replacement, configuration, technical support, IT consultation, and related products and services under the ASURION mark.

Complainant has used the ASURION mark since at least as early as 2001. Complainant advertises and sells its products and services through its "www.asurion.com" website.

Complainant has served over 280 million consumers worldwide, and its services are made available by retailers worldwide, including some of the largest retailers in the United States of America. Complainant has fourteen locations in North and South America, two locations in Europe, two locations in Australia, and ten locations in Asia.

Complainant's website at the domain name <asurion.com> receives over 7.9 million visits annually.

Complainant owns valid and subsisting registrations for the ASURION mark in the following jurisdictions: Argentina, Australia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, the European Union, Guatemala, Honduras, India, Indonesia, Israel, Japan, Malaysia, Mexico, New Zealand, Nicaragua, Panama, Paraguay, Peru, the Philippines, Singapore, Republic of Korea, Thailand, the United Kingdom, the United States of America, and Uruguay.

Complainant's United States of America registrations for ASURION include the following Registration Numbers 2698459 (registered on March 18, 2003), 4179272 (registered on July 24, 2012), 4997781 (registered on July 12, 2016), and 6010609 (registered on March 17, 2020).

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, Complainant contends that the Disputed Domain Name is identical or confusingly similar to Complainant's ASURION mark as it incorporates the ASURION mark in its entirety, preceded by the word "connect" and a hyphen. The addition of the word "connect" does not prevent the Disputed Domain Name from being confusingly similar to Complainant's ASURION mark.

Respondent is not and has never been a licensee or franchisee of Complainant. Furthermore, Respondent has never been authorized by Complainant to register or use Complainant's ASURION mark or to apply for or use any domain name incorporating the mark.

Respondent is not using the Disputed Domain Name in connection with a bona fide offering of goods or services, or in a legitimate noncommercial or fair manner. When Complainant learned of the Disputed Domain Name on March 27, 2024, Respondent was using the Disputed Domain Name in furtherance of a phishing attack, in which the visitors to the website at the Disputed Domain Name, likely Complainant's employees, were prompted to enter their employee login details.

Respondent is clearly targeting Complainant's employees in a phishing campaign to gain unauthorized access to Complainant's internal system login information. Respondent cannot establish rights or legitimate interests by using Complainant's trademark without authorization.

Given the global trademark registrations for the ASURION mark, Complainant's numerous domain names incorporating the ASURION mark, Complainant's fame and international reputation, and the fact that ASURION is a coined and highly distinctive mark universally associated with Complainant, it is not plausible that Respondent could have been unaware of Complainant at the time of registration.

Respondent's actual knowledge of Complainant is evidenced by the use of the Disputed Domain Name in furtherance of a phishing attack targeting Complainant's employees and utilizing a website displaying Complainant's official logo.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

Complainant has demonstrated it owns registered trademark rights to the ASURION Marks in the United States of America as well as globally. The addition of the term "connect-" does not prevent a finding of confusing similarity as Complainant's ASURION mark is clearly recognizable in the Disputed Domain Name. See section 1.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)).

Accordingly, the Disputed Domain Name is confusingly similar to the marks in which Complainant has rights.

B. Rights or Legitimate Interests

Complainant has presented a prima facie case that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name and has not been commonly known by the Disputed Domain Name. The fact that Respondent obtained the Disputed Domain Name including ASURION and the term "connect"- indicates that Respondent sought to piggyback on the mark for illegitimate reasons, namely, to engage in a phishing scheme targeting customers of the Complainant.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Here, Respondent has provided no evidence of any rights or legitimate interests in the Disputed Domain Name. Moreover, the use of a domain name for illegal activity can never confer rights or legitimate interests upon a respondent. [WIPO Overview 3.0](#), section 2.13.

In the absence of any evidence rebutting Complainant's prima facie case indicating Respondent's lack of rights or legitimate interests in respect of the Disputed Domain Name, the Panel finds that Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Disputed Domain Name was registered years after Complainant first used its ASURION mark. The evidence provided by Complainant makes it clear that Respondent undoubtedly knew of Complainant's ASURION mark and knew that it had no rights or legitimate interests in the Disputed Domain Name.

There is no benign reason for Respondent to have registered the Disputed Domain Name that is confusingly similar to Complainant's mark.

The Panel finds that the only plausible basis for registering and using the Disputed Domain Name have been in bad faith. Panels have held that the use of a domain name for illegal activity here, claimed phishing constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, given the above considerations and Respondent's use of website which encouraged Complainant's employees to enter their login information for phishing attempts is clearly in bad faith.

Accordingly, the Panel finds that the Disputed Domain Name has been registered and is being used in bad faith.

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 <connect-asurion.net> be transferred to Complainant.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: June 3, 2024