

## **ADMINISTRATIVE PANEL DECISION**

**Chevron Corporation and Chevron Intellectual Property LLC v. Domain Admin, Privacy Protect LLC PrivacyProtect org**  
**Case No. D2024-1703**

### **1. The Parties**

The Complainants are Chevron Corporation, United States of America (“United States”) and Chevron Intellectual Property LLC, United States, represented by Demys Limited (a Com Laude Group company), United Kingdom.

The Respondent is Domain Admin, Privacy Protect LLC PrivacyProtect org, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <chevronbonds.com> (the “Domain Name”) is registered with GMO Internet, Inc. d/b/a Onamae.com (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 23, 2024. On April 23, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 24, 2024, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and its 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 May 6, 2024. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2024. The Respondent did not submit a response. Accordingly, the Center notified the Respondent’s default on May 29, 2024.

The Center appointed A. Justin Ourso III as the panelist in this matter on June 14, 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 Complainants are a publicly held United States multinational energy and technology corporation and its intellectual property holding company (collectively, the “Complainant”) primarily engaged in the oil and gas industry, including the exploration, production, and distribution of petroleum products and chemicals, founded in 1879, and operating under the well-known name and mark CHEVRON since at least 1935.

The Complainant owns a United States registration, No. 364,683, for its CHEVRON trademark, issued on February 14, 1939, for lubricating oils and flushing oils in Class 4, a European Union registration, No. 95,745, for its CHEVRON mark, issued on March 8, 1999, for petroleum products and related products in Class 4, and other products in other classes; and a European Union registration, No. 15,759,095, for its CHEVRON and design figurative trademark, issued on December 30, 2016, for vehicle service, repair, lubrication, fueling and maintenance, in Class 37, and for other services in other classes.

The Complainant also owns the domain name <chevron.com>, which resolves to its web site at “www.chevron.com,” from which it markets its business.

The Respondent registered the Domain Name on February 17, 2024, using a privacy service that is the Registrant of the Domain Name, as disclosed by the Registrar, without any authorization from the Complainant. Prior to and just after the filing of the Complaint, and during the preparation of this Decision, the Domain Name resolved to a web site that offered bonds for sale and impersonated the Complainant’s web site by using similar colors and branding the Respondent site with the Complainant’s CHEVRON and design figurative trademark and a variation of the figurative mark (without the verbal part “chevron”), including using this variation as a favicon for the site. The web site also included a registration and login portal facility. The Respondent has also configured mail exchange (“MX”) records for the site.

#### **5. Parties’ Contentions**

##### **A. Complainants**

The Complainant contends that it has satisfied each of the elements required under the Policy to transfer the Domain Name. Notably, the Complainant contends that the Complainant used and registered its well-known trademarks long before the Respondent registered the Domain Name; the Domain Name resolves to a web site that purports to offer bonds as an investment and targets and impersonates the Complainant by mimicking the Complainant’s site, including using a similar color scheme and prominently displaying the Complainant’s trademarks above an account registration and login form and elsewhere on the site; the Respondent uses the Complainant’s mark in its HTML title tag; and the site is configured with MX records.

##### **B. Respondent**

The Respondent did not submit a response to the Complaint.

#### **6. Discussion and Findings**

A complainant must prove three elements to obtain relief: (i) the domain name is identical or confusingly similar to a trademark in which the complainant has rights; (ii) the respondent has no rights or legitimate interests in the domain name; and (iii) the respondent registered and is using the domain name in bad faith. Policy, paragraph 4(a).

##### **A. Identical or Confusingly Similar**

On the first element, the Panel finds that the Complainant’s registrations establish its trademark rights. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”),

section 1.2.1. The trademark is readily recognizable within the Domain Name and the additional word “bonds” does not avoid the Panel’s finding of confusing similarity. [WIPO Overview 3.0](#), sections 1.7 and 1.8. Accordingly, the Panel concludes that the Complainant has proven the first element: the Domain Name is confusingly similar to a trademark in which it has rights.

## **B. Rights or Legitimate Interests**

The Respondent has not claimed the existence of any circumstance under the Policy, paragraph 4(c), that demonstrates that a respondent has rights to, or legitimate interests in, a domain name. The Complainant, on the other hand, has shown that it established its trademark rights long before the Respondent registered the Domain Name; it has not authorized the Respondent to use its trademark; and the record contains no evidence that the Respondent is commonly known by the Domain Name. These constitute prima facie a showing that the Respondent lacks any rights or legitimate interests in the Domain Name under the Policy, paragraph 4(a)(ii), shifting the burden of production on this second element to the Respondent to come forward with relevant evidence proving rights or legitimate interests in the Domain Name. [WIPO Overview 3.0](#), section 2.1. The Respondent has not submitted any evidence to rebut the prima facie showing.

Additionally, the Panel finds that the Respondent masked its identity by using a privacy service; the Respondent failed to respond to the Complaint; the Complainant has proven that the Domain Name resolves to a web site that uses the Complainant’s mark in its HTML title tag and impersonates the Complainant by mimicking the Complainant’s site, including using a similar color scheme and prominently displaying a variation of the Complainant’s trademark above an account registration and login form and the Complainant’s trademarks elsewhere on the site, without disclaiming an affiliation with the Complainant or disclosing any relationship with the Complainant, which is not a bona fide commercial use, a noncommercial use, or a fair use of the Domain Name; and no other evidence exists of a bona fide commercial, noncommercial, or fair use of the Domain Name. To the contrary, the evidence shows an attempted impersonation of the Complainant and an intended deceptive use for commercial gain. [WIPO Overview 3.0](#), sections 2.5 and 2.13. Accordingly, the Panel concludes that the Complainant has proven the second element: the Respondent lacks rights or legitimate interests in the Domain Name.

## **C. Registered and Used in Bad Faith**

The Policy provides that the following circumstance is “evidence of the registration and use of a domain name in bad faith: [. . .] by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site . . . , by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site”. Policy, paragraph 4(b)(iv).

The Panel agrees with those panels that have found that the mere registration of a domain name that is identical or confusingly similar to a well-known trademark creates a presumption of bad faith registration, which here is un rebutted by the Respondent. [WIPO Overview 3.0](#), section 3.1.4. Here, too, the Respondent also used the Complainant’s well-known trademarks on the Respondent’s website.

The Complainant has proven that the Domain Name resolves to a web site that is designed to give the impression that it is the Complainant’s, on which the Respondent offers for sale financial products for commercial gain, under the Complainant’s registered trademarks, including its figurative trademark, in effect passing off the site as associated with the Complainant, without disclosing or disclaiming any relationship with the Complainant. The Panel finds this conclusive evidence that the Respondent must have been aware of the Complainant’s trademarks, including its distinctive figurative trademark, and of its rights in its marks at the time that the Respondent registered the Domain Name; the Respondent’s registration and use of the Domain Name targeted the Complainant; and the Domain Name and the site are intended to attract, misleadingly and deceptively, customers and potential customers of the Complainant and potential customers for financial products, for the Respondent’s commercial gain. Rules, paragraph 14(b); [WIPO Overview 3.0](#), sections 3.1.4, 3.2.1, and 3.2.2.

Additionally, the site contains an account registration and login form that requests the email address of users, and the site is configured with MX records. The configuration of MX records presents the potential for an email scheme impersonating the Complainant. It is common knowledge that owners of web sites customarily use email addresses containing the domain name of a web site in electronic mail communications. The use of a domain name that is confusingly similar to a trademark in emails that do not originate with the trademark owner presents a risk to the reputation of a trademark and its owner, particularly from the operator of a website that impersonates another party. The Respondent has not rebutted that it is using the web site for email that impersonates the Complainant or that it intends to do so. The risk of deceptive emails is significant and continuing, further supporting a finding of bad faith registration and use. [WIPO Overview 3.0](#), sections 3.1.4 and 3.4.

These findings compel the Panel to conclude that the Respondent intentionally registered the Domain Name in bad faith to take unfair advantage of the Complainant's trademarks and that the Respondent is using the Domain Name in bad faith intentionally to attract Internet users to its site for commercial gain by creating a likelihood of confusion with the Complainant's trademarks as to the source of the site or the source of the goods offered on the site, in violation of the Policy, paragraph 4(b)(iv). Accordingly, the Panel concludes that the Complainant has proven the third element: the Respondent registered and is using the Domain Name 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 Domain Name <chevronbonds.com> be transferred to the Complainant.

*/A. Justin Ourso III/*

**A. Justin Ourso III**

Panelist

Date: June 28, 2024