

ADMINISTRATIVE PANEL DECISION

Halliburton Energy Services, Inc., v. SD DOMAINS

Case No. D2024-2286

1. The Parties

The Complainant is Halliburton Energy Services, Inc., United States of America (“United States”), represented by Polsinelli PC Law firm, United States.

The Respondent is SD DOMAINS, Canada.

2. The Domain Name and Registrar

The disputed domain name <halliburtonjobs.com> is registered with eNom, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 4, 2024. On June 5, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 6, 2024, the Registrar transmitted by email to the Center its verification response disclosing the registrant and contact information for the disputed domain name, which differed from the named Respondent (redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 7, 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 amendment to the Complaint on June 7, 2024.

The Center verified that the Complaint, together with the amendment to 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 June 13, 2024. In accordance with the Rules, paragraph 5, the due date for Response was July 3, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 5, 2024.

The Center appointed Mladen Vukmir as the sole panellist in this matter on July 12, 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 corporation organized and existing under the laws of Delaware, United States. It is a wholly owned subsidiary of Halliburton Company. The Complainant was founded in 1919, and now it is one of the world's largest providers of products and services to the energy industry.

The Complainant is the owner of numerous registered HALLIBURTON service marks or trademarks in various jurisdictions, including HALLIBURTON word service mark registered in the United States on June 4, 2002, under the registration number 2,575,819 for services in classes 37, 40 and 42; and HALLIBURTON word trademark registered in the United States on June 4, 2002, under the registration number 2,575,840 for goods in classes 1, 6, 7, 9 and 16 (the "HALLIBURTON mark").

The Complainant owns trademark registrations for other HALLIBURTON-formative marks in the United States, in addition to more than 370 trademark registrations in 60 countries worldwide for HALLIBURTON mark and the HALLIBURTON-formative marks.

The Complainant has registered the domain name incorporating its HALLIBURTON mark and is using it for its official website at "www.halliburton.com".

The disputed domain name was registered on November 26, 2005. As evidenced by the Complainant, the website created under the disputed domain name contains pay-per-click ("PPC") links redirecting visitors to websites unrelated to the Complainant where jobs and recruiting services are being offered. Additionally, the website created under the disputed domain name states that it may be for sale by its owner.

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.

Notably, the Complainant contends that is one of the world's largest providers of products and services to the energy industry. With more than 40,000 employees, representing 130 nationalities and operations in over 70 countries, the Complainant is involved in a range of activities related to oil and gas production. The Complainant is a leader in the global energy industry and has been the recipient of numerous industry awards and significant recognition. The Complainant's annual revenues in 2023 were USD 23.0 billion.

The Complainant has continually used HALLIBURTON mark in commerce for more than 80 years. HALLIBURTON mark became distinctive, well known, and one of the most recognized and respected brands in the industry, enjoys widespread recognition in the trade, and is a source of significant goodwill for the Complainant.

The disputed domain name is confusingly similar to the Complainant's distinctive and well-known HALLIBURTON mark, having merely added the term "jobs" after the distinctive HALLIBURTON mark.

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent acquired the disputed domain name for the sole purpose of exploiting the Complainant's rights, title, interest, and goodwill in HALLIBURTON mark. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The Respondent is not making legitimate, non-commercial, or fair use of the disputed domain name, nor has it been commonly known by the disputed domain name.

The Respondent's conduct demonstrates bad faith registration and use of the disputed domain name. The Complainant's HALLIBURTON mark is well established; the Respondent was aware of the Complainant and had the Complainant's HALLIBURTON mark firmly in mind when registering the disputed domain name.

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 with respect to a trademark and service mark (HALLIBURTON mark) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the HALLIBURTON 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 "jobs," may bear on the assessment of the second and third elements, the Panel finds the addition of such term 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 disputed domain name consists of the Complainant's HALLIBURTON mark and descriptive term "jobs". Where the relevant trademark is recognizable within the disputed domain name, adding other terms (whether descriptive, geographical, meaningless, or otherwise), would not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.8.

Regarding the generic Top-Level Domain ("gTLD") ".com" in the disputed domain name, as a standard registration requirement it should be disregarded under the confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

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.

There is no evidence in the case file or otherwise apparent to the Panel that the Respondent has been using the disputed domain name in connection with a bona fide offering of goods or services, or that the Respondent is being commonly known by the disputed domain name, or that is making a legitimate noncommercial or fair use of the disputed domain name. In this Panel's view, the Respondent's use of the disputed domain name is to divert Internet traffic to websites unrelated to the Complainant where jobs or recruiting services are being offered.

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

C. Registered and Used in Bad Faith

Considering the circumstances and evidence presented, the Panel deems the Complainant and its HALLIBURTON mark to be well known and have a worldwide reputation.

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 uses the disputed domain name to divert Internet traffic to websites unrelated to the Complainant where jobs or recruiting services are being offered. At the same time, on the website created under the disputed domain name it is stated that it may be for sale by its owner.

The available evidence shows that registration and use of the Complainant's HALLIBURTON mark predate the registration of the disputed domain name. The Complainant and its HALLIBURTON mark are well-known and recognized around the world. The Panel is of the opinion that the Respondent was well aware of the Complainant and its HALLIBURTON trademark when it registered the disputed domain name.

The Respondent knew or should have known that the disputed domain name is confusingly similar to the Complainant's HALLIBURTON trademark. The mere registration of a domain name that is identical or confusingly similar (particularly domain names incorporating the trademark plus a descriptive term) to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), Section 3.1.4.

The Panel finds that the Respondent's awareness of the Complainant's HALLIBURTON trademark at the time of registration of the disputed domain name suggests bad faith. In this Panel's view, the Respondent registered and is using the disputed domain name to divert Internet traffic to websites unrelated to the Complainant where jobs or recruiting services are being offered. Using the HALLIBURTON mark in the disputed domain name is intended to capture Internet traffic from Internet users looking for the Complainant.

In this Panel's view, the Respondent is, failing to demonstrate any rights or legitimate interests, intentionally attempting to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's HALLIBURTON mark.

The Panel finds that the Complainant has 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 the disputed domain name <halliburtonjobs.com> be transferred to the Complainant.

/Mladen Vukmir/

Mladen Vukmir

Sole Panelist

Date: July 26, 2024