

ADMINISTRATIVE PANEL DECISION

Halliburton Energy Services, Inc. v. Name Redacted

Case No. D2024-2307

1. The Parties

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

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <halliburton-co.com> 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 June 5, 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 7, 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 (GDPR Masked) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 12, 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 12, 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”).

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel orders that the Respondent’s name be redacted from this decision. The Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision should not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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. On June 19, 2024, a third party submitted an email to the Center claiming that the disputed domain name had been registered fraudulently relating to someone who had never been employed by them. In accordance with the Rules, paragraph 5, the due date for Response was July 3, 2024. The Respondent did not submit any formal response. Accordingly, the Center notified the Commencement of Panel Appointment Process on July 11, 2024.

The Center appointed Christopher J. Pibus as the sole panelist in this matter on July 16, 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

Founded in 1919, Halliburton 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 approximately 70 countries, the company serves the upstream oil and gas industry throughout the lifecycle of the reservoir – from locating hydrocarbons to drilling, well construction and completion – as well as optimizing production through the life of the field. Halliburton is a leader in the global energy industry and has been the recipient of numerous industry awards and significant recognition. Halliburton maintains and operates a website at “www.halliburton.com”.

In the global energy market, Halliburton has protected its intellectual property rights gained through developing and marketing its line of products and services. Halliburton has continually used the HALLIBURTON mark in commerce for more than 80 years and owns the following registrations among a large international portfolio:

- HALLIBURTON, United States Registration No. 2,575,819, dated June 4, 2002, in Class 37, Class 40, Class 42; and
- HALLIBURTON, United States Registration No. 2,575,840, dated June 4, 2002, in Class 1, Class 6, Class 7, Class 9, Class 16.

The Complainant also 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 the HALLIBURTON mark and other HALLIBURTON-formative marks. Halliburton's annual revenues in 2021, 2022, and 2023 were USD 15.2 billion, USD 20.2 billion, and USD 23.0 billion respectively.

The disputed domain name was registered on May 28, 2024.

The Complainant has submitted that the disputed domain name resolved to an “unavailable website.” However, the Complaint includes a copy of the Respondent's landing page which displays apparent links to third party websites under the titles “energy company” and “oil company”, links which appear to relate to businesses which compete with the Complainant. The Panel accessed the Respondent's current page and found active links to financial and accounting businesses.

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 its HALLIBURTON trademark is well-known around the world due to the widespread adoption of its products and services. The Complainant relies on the well-established recognition of its trademark as a famous mark, resulting from hundreds of millions of dollars in sales over the past many years. In the circumstances, the Complainant urges the Panel to find deliberate targeting of the famous HALLIBURTON mark for improper purposes.

B. Respondent

The Respondent did not reply to the Complainant's contentions. However, the Center did receive an email communication from a third-party which indicates that the Respondent adopted a third-party personal name and a third-party business name when registering the disputed domain name. The Panel has found that the Respondent has engaged in identity theft, and accordingly has issued Annex 1 to this decision which provides that the Respondent will be identified as "Name Redacted" for purposes of this decision.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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 entirety of the HALLIBURTON mark has been reproduced by the Respondent and the Panel finds the mark is recognizable 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. Moreover, the Panel notes that the disputed domain name contains, in addition to the Complainant's HALLIBURTON mark, a hyphen and the term "co" after the Complainant's entire mark. Although the addition of other terms (here, "-co") may bear on assessment of the second and third elements, the Panel finds the addition of such term and punctuation 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 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. In particular the Complainant has provided evidence and submissions to the effect that the Respondent has never been affiliated with or licensed by the Complainant to use the HALLIBURTON mark in any manner including as part of a domain name. The registration of a domain name incorporating another’s famous mark does not confer or create any rights or legitimate interests in the disputed domain name (see *PRL USA Holdings, Inc. v. Vivienne Westwood/Contact Privacy Inc. Customer 016347680*, WIPO Case No. [D2011-1292](#)). Hosting a parked page with hyperlinks to competing third party websites does not evidence rights or legitimate interests in that domain name (see *Les Parfumeries Fragonard v. Thanh Van Pham*, WIPO Case No. [D2020-2920](#)). The record also shows that the Respondent has engaged in identity theft, in adopting third-party personal and business names as a domain name registrant. Panels have held that the use of a domain name for illegal activity (here, impersonation, or other types of fraud such as identity theft) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark 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.

Panels have also held that the use of a domain name for illegal activity (here impersonation/identity theft, or other types of fraud), particularly when combined with outright copying of a famous mark, will constitute bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

Further, the Panel notes that the disputed domain name resolved to a webpage with competing PPC links. Noting such links, as well as the composition of the disputed domain name and reputation of the Complainant’s well-known trademark, the Panel finds that the Respondent has used the disputed domain name in bad faith to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant’s well-known trademark.

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 <halliburton-co.com> be transferred to the Complainant.

/Christopher J. Pibus/

Christopher J. Pibus

Sole Panelist

Date: July 24, 2024