

ADMINISTRATIVE PANEL DECISION

G4S Limited v. Anthony Anderson

Case No. D2024-3154

1. The Parties

The Complainant is G4S Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is Anthony Anderson, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <g4slimited.com> (the “Disputed Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 31, 2024. On August 2, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 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 (Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 5, 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 amended Complaint on August 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 August 15, 2024. In accordance with the Rules, paragraph 5, the due date for Response was September 4, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 10, 2024.

The Center appointed Catherine Slater as the sole panelist in this matter on September 13, 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 global security company founded in 1901 and has been operating under the name G4S since 2004. The Complainant has a global network of over 800,000 employees and provides various services including services in the security sector. The Complainant operates in over 80 countries and has a turnover in the region of USD 22 billion.

The Complainant owns many trademark registrations around the world for the term G4S (in both plain and stylized characters) including:

- International Registration 885912 for G4S (plain word) registered on October 11, 2005; and
- United States of America Registration 3378800 for G4S (plain word), registered on February 5, 2008; and
- European Union Registration 15263064 for G4S (plain word), registered on September 20, 2016.

These trademarks are referred to as the "G4S Trademark" in this Decision.

The Complainant also holds several domain names incorporating the term G4S, including "www.g4s.com" which was registered on December 1, 1999, and which resolves to the Complainant's main website.

The Respondent appears to be an individual. The Disputed Domain Name was registered on May 23, 2024. The Disputed Domain Name resolves to a parking page containing Pay- Per-Click ("PPC") links such as "Security Guard Company" and "Security Guard" and "G4s Security", which links direct users to websites which offer services which compete with those of the Complainant and to the Complainant's website.

The Complainant's representatives sent a "cease and desist" notice to the Respondent on June 25, 2024. No reply was received.

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 as follows:

a) The Disputed Domain Name is identical or confusingly similar to a trademark in which the Complainant has rights. The Complainant holds many trademark registrations for the G4S Trademark. The Disputed Domain Name incorporates the G4S Trademark in full, followed by the term "limited". The addition of "limited" does not negate a finding of confusing similarity but rather adds confusion in the minds of Internet users since the Complainant operates under the name G4S Limited;

b) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. The Respondent has not registered any trademarks for "g4s", there is no evidence it has unregistered rights in that term and it has not received any licence from the Complainant. The Respondent has not used, nor prepared to use, the Disputed Domain Name in connection with a bona fide offering of goods or services. The current use of the Disputed Domain Name does not confer a bona fide offering of services. The

Respondent has not made a legitimate non-commercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers; and

c) The Disputed Domain Name was registered and is being used in bad faith. The earliest trademark registration for the G4S Trademark predates the creation of the Disputed Domain Name by more than 19 years. The Respondent was aware of the Complainant's rights in the G4S Trademark prior to registering the Disputed Domain Name by reason of the distinctive nature of the G4S Trademark and its reputation and goodwill. The Respondent has used the G4S Trademark to create an impression of association with the Complainant, in order to earn revenue by the use of PPC links. This establishes bad faith registration and use. The Respondent has not responded to the Complainant's cease and desist letter which enables a bad faith inference to be drawn. The Respondent has activated mail exchange (MX records) for the Disputed Domain Name with the result that it has the capability to engage in deceptive activity through email distribution.

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 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 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, "limited") may bear on 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 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.

The Panel notes that the actual use made of the Disputed Domain Name i.e. to host a parking page comprising PPC links does not represent a bona fide offering since those links compete with and capitalize on the reputation and goodwill of the G4S Trademark, [WIPO Overview 3.0](#), section 2.9.

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.

In the present case, the Panel finds that the Respondent registered the Disputed Domain Name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the G4S Trademark. In this regard, it is inconceivable that the Respondent did not have the Complainant and its G4S Trademark in mind at the point of registration taking into account that the G4S Trademark has a reputation and is well-known, that the Disputed Domain Name is identical to the Complainant's name and that the Respondent has actually sought to create confusion by pointing the Disputed Domain Name to a parking page containing PPC links that direct to competitor websites and the Complainant's website. Paragraph 4(b)(iv) of the Policy and [WIPO Overview 3.0](#), section 3.1.4.

The Panel further finds that the Respondent's use of the Disputed Domain Name constitutes bad faith as the Respondent is intentionally attempting to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. It is well established that where a domain name is used to generate revenue from "click through" traffic, and that traffic has been attracted because of the Disputed Domain Name's association with the Complainant, such use amounts to bad faith. Paragraph 4(b)(iv) of the Policy and [WIPO Overview 3.0](#), section 3.5.

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 <g4slimited.com> be transferred to the Complainant.

/Catherine Slater/

Catherine Slater

Sole Panelist

Date: September 26, 2024