

ADMINISTRATIVE PANEL DECISION

Halliburton Energy Services, Inc. v. Sean Johnson, SJOHNSON
Case No. D2024-4328

1. The Parties

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

Respondent is Sean Johnson, SJOHNSON, USA.

2. The Domain Name and Registrar

The disputed domain name <halli-burtonintl.biz> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 21, 2024. On October 21, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 21, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on October 24, 2024, providing the registrant and contact information disclosed by the Registrar and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on October 24, 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 Respondent of the Complaint, and the proceedings commenced on October 29, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2024. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on November 25, 2024.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on December 2, 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, Complainant is one of the world's largest providers of products and services to the oil and gas industry, operating in approximately 70 countries.

Complainant owns many registrations globally for its HALLIBURTON marks, including for example United States Trademark Registration No. 2575819 registered June 4, 2002, in Classes 37, 40, and 42, and United States Trademark Registration No. 2575840 also registered June 4, 2002, in Classes 1, 6, 7, 9, and 16.

The disputed domain name was registered October 10, 2024, and resolves to a parking webpage displaying only advertising links to third-party commercial websites.

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.

Complainant contends that the disputed domain name has been used in a fraudulent impersonation and phishing scheme.

Complainant avers that an individual contacted Complainant after receiving email from an address incorporating the disputed domain name which offered potential employment opportunities with Complainant. The sender of the email using the disputed domain name falsely posed as Complainant's hiring manager. After multiple email exchanges between the individual and the false hiring manager, the individual was offered employment in an email that sought further personal confidential information.¹ The individual then contacted Complainant and shared the emails.

B. Respondent

Respondent did not reply to 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.

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.

¹ The Complaint annexes copies of the job offer correspondence.

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, “intl”) may bear on assessment of the second and third elements, the Panel finds the addition of the 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 that the first element of paragraph 4(a) 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.

The Panel accepts Complainant’s undisputed allegations that Respondent has no authorization to use Complainant’s marks and that Respondent is not commonly known by the disputed domain name.

The Panel accepts Complainant’s undisputed allegations and evidence that the disputed domain name is being used in a fraudulent phishing scheme. Having reviewed the available record, the Panel finds that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegal activity (here, alleged as phishing, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that the second element of paragraph 4(a) 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 Respondent was clearly aware of Complainant’s widely used mark when Respondent registered the disputed domain name wholly incorporating the mark for use in a fraudulent impersonation and phishing scheme. The Panel also notes that the fraudulent emails were initiated only two days after registration of the disputed domain name.

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 held that the use of a domain name for illegal activity (here, claimed phishing, impersonation/passing off, or other types of fraud) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel concludes that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Respondent's failure to respond to the Complaint and the provision of incomplete or incorrect contact details in violation of its agreement with the Registrar are further evidence of bad faith under the circumstances.

The Panel finds that Complainant has established the third element of paragraph 4(a) 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 <halli-burtonintl.biz> be transferred to Complainant.

/Jeffrey D. Steinhardt/

Jeffrey D. Steinhardt

Sole Panelist

Date: December 16, 2024