

ADMINISTRATIVE PANEL DECISION

Screening Eagle Technologies AG v. Diane Bugg
Case No. DCC2024-0019

1. The Parties

The Complainant is Screening Eagle Technologies AG, Switzerland, represented by Hepp Wenger Ryffel AG, Switzerland.

The Respondent is Diane Bugg, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <screeningeagle.cc> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 17, 2024. On July 17, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 18, 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 24, 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 July 25, 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 July 31, 2024. In accordance with the Rules, paragraph 5, the due date for Response was August 20, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 21, 2024.

The Center appointed Adam Samuel as the sole panelist in this matter on August 30, 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 trades in the telecommunication and associated technology industries. It owns an International trademark for SCREENING EAGLE, registration number 1385881, with an application date of August 11, 2017 and a registration date of January 28, 2019. The Complainant markets its activities through the domain name, <screeningeagle.com>, registered on December 13, 2016.

The disputed domain name was registered on July 3, 2024. It appears never to have resolved to an active website.

5. Parties' Contentions

A. Complainant

The Complainant contends that, apart from the fact that the disputed domain name is written as one word, there is no difference between the trademark and the disputed domain name. The trademark and the disputed domain name are orally and visually identical. The disputed domain name and the trademark are therefore confusingly similar.

It was the Respondent's intention to create confusion between the Complainant's trademark and the disputed domain name. The address and registrant name information supplied to the disputed domain name's registrar is false. The disputed domain name appears to have only been used to carry out a dishonest phishing attack. On July 3, 2024, the date of the disputed domain name's registration, someone used an email address associated with the disputed domain name which appeared identical to an email address of the Complainant except for the country code Top-Level Domain ("ccTLD") ".cc", to redirect payment of one of the customers of the Complainant to another bank account. The emails concerned used the Complainant's trademark SCREENING EAGLE.

B. Respondent

The Respondent did not reply to the Complainant's contentions

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied:

- (i) the disputed domain name is identical or confusingly similar to a 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 page 3
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The disputed domain name consists of the Complainant's trademark SCREENING EAGLE and the ccTLD, ".cc". The ccTLD is irrelevant here as it is a standard registration requirement. See section 1.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

Accordingly, the disputed domain name is identical to the Complainant's mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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

B. Rights or Legitimate Interests

The Respondent is not called "SCREENING EAGLE" or anything similar. There is no evidence that the Complainant has ever authorised the Respondent to use its trademarks. The Respondent does not appear to have used the disputed domain name for any legitimate purpose. For these reasons, the Panel concludes that the Complainant has met this element. See section 2.1 of the [WIPO Overview 3.0](#).

C. Registered and Used in Bad Faith

The disputed domain name reproduces the Complainant's trademark. This combines two words "screening" and "eagle" which are not commonly associated with each other.

The Respondent has never explained why it registered the disputed domain name or refuted the Complainant's argument that it did so in order to benefit from the Complainant's trademark or name or disrupt the Complainant's business in some way. In the circumstances, the Panel concludes that the Respondent registered the disputed domain name knowing of the Complainant's name and trademark rights. The Respondent, more likely than not, did so to disrupt the Complainant's business. Under paragraph 4(b)(i), (iii) and (iv) of the Policy, this constitutes evidence of registration and use in bad faith.

In addition, the Complainant has submitted a series of emails sent between July 3, 2024 and July 8, 2024, using an email account connected to the disputed domain name which purport to be from the Complainant's employees. In it, the sender of the messages appears to be trying to divert a client's payment to another bank account. If, as seems likely, the Respondent caused these emails to be sent, that would be further evidence of registration and use of the disputed domain name in bad faith. Panels have held that the use of a domain name for illegal activity here phishing, impersonation and other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

For all these reasons, 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 <screeningeagle.cc> be transferred to the Complainant.

/Adam Samuel/

Adam Samuel

Sole Panelist

Date: September 2, 2024