

Decision for dispute CAC-UDRP-105538

Case number	CAC-UDRP-105538
Time of filing	2023-06-16 09:11:42
Domain names	adeccointernational.site

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)
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Complainant

Organization	Adecco Group AG
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Complainant representative

Organization	BRANDIT GmbH
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Respondent

Name	Ahmed Sheesh
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OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant relies on the following registrations of the word mark ADECCO in classes 35, 41 and 42:

- US mark no. 2209526 registered on 8 December 1998;
- EU mark no. 3330149 registered on 19 January 2005;
- International mark no. 666347 registered on 17 October 1996;
- Swiss mark no. 2P-431224 registered on 26 September 1996.

FACTUAL BACKGROUND

The Complainant's group is the world's leading workforce solutions company, with a revenue in 2022 of EUR 23.64 billion. It was formed from the merger of Adia SA and Ecco in 1996 and adopted the composite name and mark, ADECCO. It now helps over 100,000 organisations with their needs for personnel and enables millions of people to develop their skills. It has 38,000 employees in more than 60 countries and territories around the world.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

It is clear that the Complainant has registered rights in the mark ADECCO. The Panel finds that the disputed domain name is confusingly similar to this mark, from which it differs only in the addition of the generic word "international" and the top level domain name suffix "site".

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights within the meaning of paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

It appears from the undisputed evidence of the Complainant that the only uses made of the disputed domain name by the Respondent have been to locate a web page presenting pay per click sponsored links, including to competitors of the Complainant, and for "phishing" e-mails. In the Panel's view, neither of these constitutes a bona fide offering of goods or services, nor are they a legitimate non-commercial or fair use of the domain name.

The Panel is also satisfied on the undisputed evidence that the Respondent is not commonly known by the disputed domain name or any corresponding name and has not been authorised by the Complainant to use any such name.

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

BAD FAITH

The Panel finds on the undisputed evidence that the Respondent has used the disputed domain name in an intentional attempt to attract Internet users to its web page for commercial gain from sponsored links by creating a likelihood of confusion with the Complainant's mark as to the source of the web page.

In accordance with paragraph 4(b)(iv) of the Policy, this constitutes evidence of the registration and use of the disputed domain name in bad faith. This presumption is not displaced by any countervailing evidence. On the contrary, it is reinforced by undisputed evidence of the use of the disputed domain name for "phishing" e-mails.

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name has been registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

The disputed domain name consists of the primary name and mark of a leading international business followed by the generic word "international" and the top level domain name suffix, "site". Undisputed evidence shows use of the disputed domain name to locate a page of ppc links to competitors of the Complainant and for phishing e-mails.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

- 1. **adeccointernational.site**: Transferred

PANELLISTS

Name	Jonathan Turner
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DATE OF PANEL DECISION 2023-08-02

Publish the Decision