

Decision for dispute CAC-UDRP-106975

Case number	CAC-UDRP-106975
Time of filing	2024-10-23 10:16:24
Domain names	informainternational.com, informaarab.com

Case administrator

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

Organization	Informa IP GmbH
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Complainant representative

Organization	Stobbs IP
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Respondent

Organization	JD Informa Internacional S.L.
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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 names.

IDENTIFICATION OF RIGHTS

The Complainant owns a large portfolio of trademarks including the wording “INFORMA” in several countries, such as:

US trademark INFORMA (word) n° 4810563 registered since September 15, 2015;

The international trademark INFORMA (word) n° 1216171 registered since March 31, 2014;

UAE trademark INFORMA n° 189056 registered since September 16, 2014.

Furthermore, the Complainant owns multiple domain names consisting in the wording “INFORMA”, such as <informa.com> and <informaconnect.com>.

FACTUAL BACKGROUND

The Complainant is the IP holding company for the Informa group of companies, including Informa plc, Informa Group Limited and Informa Markets Limited (collectively the “Complainant”). The Complainant is headquartered in the UK and a member of the UK’s FTSE 100 group of public companies on the London Stock Exchange. Internationally, the Complainant operates across 30 territories with over 10,000 employees across its different business sectors.

The Complainant owns multiple domain names consisting in the wording “INFORMA”, such as <informa.com> and <informaconnect.com>.

The disputed domain names <informaarab.com> was first created on June 12, 2023, and <informainternational.com> was created on April 24, 2023.

PARTIES CONTENTIONS

The Complainant alleges that disputed domain names infringed its rights in accordance with relevant UDRP policies and rules.

No administratively compliant Response has been filed.

RIGHTS

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

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 Complainant has, to the satisfaction of the Panel, shown 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

Identical or confusingly similar

The Complainant is the IP holding company for the Informa group of companies, including Informa plc, Informa Group Limited and Informa Markets Limited (collectively the “Complainant”). The Complainant is headquartered in the UK and a member of the UK’s FTSE 100 group of public companies on the London Stock Exchange. Internationally, the Complainant operates across 30 territories with over 10,000 employees across its different business sectors.

The Complainant owns a large portfolio of trademarks including the wording “INFORMA” in several countries, such as:

US trademark INFORMA (word) n° 4810563 registered since September 15, 2015;

The international trademark INFORMA (word) n° 1216171 registered since March 31, 2014;

UAE trademark INFORMA n° 189056 registered since September 16, 2014.

Furthermore, the Complainant owns multiple domain names consisting in the wording “INFORMA”, such as <informa.com> and <informaconnect.com>.

The disputed domain names <informainternational.com> and <informaarab.com> incorporate the Complainant’s INFORMA trademark in its entirety. gTLDs are commonly viewed as a standard registration requirement, and as such they are disregarded under the first element confusing similarity test (WIPO Overview 3.0, section 1.11). “INTERNATIONAL” and/or “ARAB” are generic terms and the

addition of these generic terms does not alter the overall impression of the disputed domain names. Particularly, “INTERNATIONAL” and/or “ARAB” indicate connections between the disputed domain names and certain geographic regions, which could reinforce the connections with the Complainant and their INFORMA brand.

The Panel therefore concludes that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights within the meaning of paragraph 4(a)(i) of the Policy.

No rights or legitimate interests

Although the Respondent did not file an administratively compliant (or any) response, the Complainant is still required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy.

The Complainant in the present case has not licensed or authorized the Respondent to register or use its trademark INFORMA or the disputed domain name. Respondent’s organisation name is “JD Informa Internacional S.L.”, which contains the term “INFORMA”, but there is not much public information available on the type of business the Respondent is operating. Languages found on the websites resolve by <https://www.informainternational.com/> and <https://www.informaarab.com> seem to suggest that the Respondent is in some form of Spanish language training and cultural liaison businesses, but more detailed information is missing. For example, and also as the Complainant has rightly observed: “the “team” on the website are connected to genuine LinkedIn accounts but none of them refer to the company in their status.” Without strong evidence on the contrary, it is presumably true that there is an absence of any legitimate interest within the Respondent in registering domain names containing the term “INFORMA”.

On the basis of preponderance of evidence, and in the absence of any evidence to the contrary or any administratively compliant response being put forward by the Respondent, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

Bad faith

The use and registration of the disputed domain name by the Respondent has been done in bad faith.

First of all, the registration of the disputed domain name by the Respondent was done in bad faith. UDRP panels have consistently held that the mere registration of a domain name that is confusingly similar to a famous trademark by an unaffiliated entity can by itself create a presumption of bad faith. The disputed domain names were more recently registered (on June 12, 2023 for <informaarab.com> and April 24, 2023 for <informainternational.com> >). With the reputation of the “INFORMA” trademark, the presumption arises that the disputed domain name was registered with the intention to attract Internet users by creating a likelihood of confusion with the well-known “INFORMA” trademark.

Secondly, the use of the disputed domain name was in bad faith. The Complainant bases its argument mainly on paragraph 4(b) (iv) of the Policy, “by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.” Such facts, if found by the panel, shall be evidence of the registration and use of a domain name in bad faith.

In this case, the disputed domain names redirect websites offering services which are in competition with the Complainant, which again reinforces the fact the Respondent may have been aware of the Complainant’s INFORMA brand at the time of registration. Using a domain name in order to offer competing services is often been held to disrupt the business of the owner of the relevant mark, and constitutes evidence of bad faith (See Banco Bilbao Vizcaya Argentaria, S.A. v. WhoisGuard / Timona Por Motin, WIPO Case No. D2013-0365). In this case, it does not seem that Respondent has legitimate uses of the disputed domain names in addition to creating a likelihood of confusion with the Complainant’s trademark to generate more traffic (and thus revenues) for itself. This use is unfair and intentional. Therefore, the facts satisfy the requirements of paragraph 4(b)(iii) and 4b(iv) of the Policy.

Therefore, in the absence of any evidence to the contrary (or any administratively compliant response) being put forward by the Respondent, the Panel determines that the Complainant has provided that disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **informainternational.com**: Transferred
2. **informaarab.com**: Transferred

PANELLISTS

Name	Carrie Shang
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DATE OF PANEL DECISION	2024-12-12
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Publish the Decision	
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