

**National Arbitration Forum
Uniform Rapid Suspension System Complaint**

[REDACTED] v. [REDACTED]
[REDACTED]

Complainant requests that the Complaint be submitted for determination in accordance with the URS Procedure, the URS Rules and the Provider's URS Supplemental Rules.

Complainant(s) (URS Proc. 1.2.1)

Name: [REDACTED]
Business: [REDACTED]
Address: [REDACTED]
[REDACTED]
[REDACTED]
Primary Phone: [REDACTED]
E-Mail: [REDACTED]

Authorized Complainant Representative(s) (URS Proc. 1.2.2)

Respondent(s) (URS Proc. 1.2.3)

Name: [REDACTED]
Address: [REDACTED]
[REDACTED]
[REDACTED]
Primary Phone: [REDACTED]
E-Mail: [REDACTED]

Authorized Respondent Representative(s)

Domain Names, Trademarks, and Use (URS Proc. 1.2.4 and 1.2.5)

<u>Domain Name</u>	<u>Trademark</u>	<u>Classification (Goods/Services)</u>
1) [REDACTED]		1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42

Grounds on which Complainant is entitled to relief (URS Proc. 1.2.6)

1. The registered domain name(s) is/are identical or confusingly similar to a word or mark [URS 1.2.6.1]:
 - for which the Complainant holds a valid national or regional registration and that is in current use
2. Registrant has no legitimate right or interest to the domain name [URS 1.2.6.2]
3. The domain name(s) was/were registered and are being used in bad faith [URS 1.2.6.3] such as:
 - Registrant has registered or acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of documented out-of pocket costs directly related to the domain name
 - Registrant has registered the domain name in order to prevent the trademark holder or service mark from reflecting the mark in a corresponding domain name, provided that Registrant has engaged in a pattern of such

- conduct
- By using the domain name Registrant has intentionally attempted to attract for commercial gain, Internet users to Registrant's 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 Registrant's web site or location or of a product or service on that web site or location.

Explanatory Text:

██████████ is together with its affiliated Companies one of the world's financial leading groups. ██████████ is a global financial group with a diversified business providing financial services in over 30 countries and to 53 million customers. It has a ██████████, it is ██████████. It has leading franchises in ██████████ and in the ██████████, where it is one of the 15 largest banks. ██████████ and where its main office and centralized corporate services are located, as well as the Group's parent company,

Complainant registered its domain name, <██████████> on ██████████, which is used to promote Complainant's goods and services. Respondent registered the disputed domain name on February 7, 2014 despite receiving notification that the domain names match a mark registered with the Trademark Clearinghouse. The Respondent is required to have clicked on the Registrar notice Acknowledge Claim when presented with the Trademark Claims Notice to complete registration of the name. Respondent at the time of registration of the disputed domain names knew of the existence of the Complainant's trademarks

Complainant is the owner of numerous trademark registrations worldwide that consist of or contain the mark ██████████ including, International registration No. ██████████ registered since 2000 and Community registration No. ██████████ registered since 2001) and enjoys a widespread reputation in the world. The disputed domain name is identical to the above cited trademarks, consisting in whole of the word "██████████". The Respondent is not affiliated with the Complainant in any way. It has not been authorized by the Complainant to register or use any domain name incorporating the ██████████ Mark. Respondents have through the use of confusingly similar disputed domain names created a likelihood of confusion with Complainant's trademarks. The Respondent did not present evidence of rights or legitimate interests he might have in the disputed domain name.

Domain name ██████████ has been redirected to website offering domain names for sale. The disputed domain name has been registered and is being used in bad faith on the following grounds: First of all, the Respondent had registered the domain name primarily with the purpose of selling the domain name for a price exceeding his out-of-pocket-costs. Secondly, the disputed domain name is registered and used after the trademark ██████████ became well-known. When registering the domain name, the Respondent had knowledge of the Complainant's trademarks. This is evident, given the worldwide fame of the Complainant's trademarks. Thirdly, the disputed domain name is offered for sale on the website operated by the Respondent. Respondent registered the disputed domain name to attract Internet users to go to website. The Respondent is thus exploiting the repute of the trademark ██████████. This clearly shows the bad faith intention of the Respondent in registering and using this trademark in the disputed domain name. The bad faith intention can also be deduced from the fact that the Respondent offers the disputed domain name for sale on his website.

Mutual Jurisdiction

Complainant submits, with respect to any challenges to the determination in this proceeding, to the jurisdiction of the Registrar.

Certifications

Prior Related Proceedings:

None Disclosed

Agreement to Terms:

Complainant agrees that its claims and remedies concerning the registration of the domain name, the dispute, or the dispute's resolution shall be solely against the domain-name holder and waives all such claims and remedies against (a) the Provider and Examiner, except in the case of deliberate wrongdoing, (b) the Registrar, (c) the Registry Operator, and (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents.

Complainant certifies that the information contained in this Complaint is to the best of Complainant's knowledge complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under these Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument. [URS 3(b)(x).]

Respectfully Submitted,

██████████
██████████
February 21, 2014