

ADMINISTRATIVE PANEL DECISION

Standard Life Assurance Limited, Standard Life Assets and Employee Services Limited v. Allikvee Roman
Case No. D2024-0630

1. The Parties

The Complainants are Standard Life Assurance Limited, Standard Life Assets and Employee Services Limited, United Kingdom (“UK”) (individually, the “Complainant”; collectively, the “Complainants”), represented by Pinsent Masons LLP, UK.

The Respondent is Allikvee Roman, Switzerland.

2. The Domain Name and Registrar

The disputed domain name <yourstandardlife.com> is registered with DropCatch.com LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 12, 2024. On February 12, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 12, 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 (Name Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainants on February 13, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on the same date.

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 February 15, 2024. In accordance with the Rules, paragraph 5, the due date for Response was March 6, 2024. The Respondent sent email communications to the Center on February 16 and March 7, 2024.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on March 18, 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 Complainants are subsidiaries of Phoenix Group Holdings Plc, a United Kingdom based long-term savings and retirement business established in 1825. Phoenix Group Holdings Plc is listed amongst the largest UK's public companies with a total value of approximately GBP 259 billion. The Complainants' parent company has received many awards in recognition of its products and services.

The Complainant Standard Life Assets and Employee Services Limited is the owner of several trademark registrations in the UK and in the European Union, including:

Trademark	Registration No.	Jurisdiction	Date of Registration	Goods or Services
STANDARD LIFE	UK00001272922	United Kingdom	July 6, 1990	Class 35. Legal, accounting, auditing and personnel services, all relating to pensions; payroll processing services; computerized data-base management services; statistical information services for business purposes.
STANDARD LIFE	UK00001272923	United Kingdom	July 20, 1990	Class 36. Banking, trust management, unit trust, trusteeship, fund investment management, insurance, financial investment, pension, financial management, personal loan financing, mortgaging, real estate agency, real estate management and real estate leasing services: provision of finance or of credit, all for real estate development.
STANDARD LIFE	UK00900496729	United Kingdom	March 10, 1999	Class 35: Accounting, auditing and personnel services, payroll processing services; computerized database management services; provision of information relating to all the aforesaid services, provision of business statistical information; advisory and consultancy services all relating to the aforesaid services. Class 36: Banking, financial, trust management, unit trust, trusteeship, fund investment management, insurance, financial investment, pension, financial management personal

				<p>loan financing, mortgage, real estate agency, real estate management and real estate leasing services, provision of finance or of credit, actuarial services; financial appraisal services; advisory, information and consultancy services all relating to the aforesaid services.</p> <p>Class 42: Computer programming services; computer consultancy services; design of computer hardware; rental of computer hardware and computer software; leasing of access time to a computer database; all the aforesaid services being related to financial and insurance services; legal services; advisory, information and consultancy services all relating to the aforesaid services.</p>
STANDARD LIFE	000496729	European Union	March 10, 1999	<p>Class 35: Accounting, auditing and personnel services; payroll processing services; computerized database management services; provision of information relating to all the aforesaid services; provision of business statistical information; advisory and consultancy services all relating to the aforesaid services.</p> <p>Class 36: Banking, financial, trust management, unit trust, trusteeship, fund investment management, insurance, financial investment, pension, financial management, personal loan financing, mortgage, real estate agency, real estate management and real estate leasing services; provision of finance or of credit; actuarial services; financial appraisal services; advisory, information and consultancy services all relating to the aforesaid services.</p> <p>Class 42: Computer programming services; computer consultancy services; design of computer hardware; rental of</p>

				computer hardware and computer software; leasing of access time to a computer database; all the aforesaid services being related to financial and insurance services; legal services; advisory, information and consultancy services all relating to the aforesaid services.
STANDARD LIFE	007606511	European Union	October 7, 2009	<p>Class 16: Printed publications; publicity and promotional material; books, picture books, magazines, periodicals and supplements; brochures and catalogues; fact sheets, pamphlets and leaflets; paper and paper articles; cardboard and cardboard articles; stationery, including pens, pencils, crayons, pencil cases, eraser, rulers, posters, markers, pencil sharpeners, pictures and prints, stickers, paperweights, diaries and calendars; all the aforesaid goods relating to or for the promotion of financial or asset management services.</p> <p>Class 35: Business services; business consultancy services; business management services; business information services; accounting and auditing services; tax and taxation planning; personnel services; personnel and human resources consultancy and information services; payroll processing services; computerized database management services; electronic data storage; data processing; provision and compilation of business information; business services relating to the provision of sponsorship; promotional services; advisory, consultancy and information services all relating to all the aforesaid services; all the aforesaid services including those provided online from a computer database or the Internet.</p>

				<p>Class 36: Financial services; asset management services; financial management and administration; financial sponsorship; financial analysis and evaluation; financial portfolio management services; provision of financial information; banking; investments; insurance; trust management; unit trust and mutual fund services, financial trusteeship, fund investment management; pension services; loan services, personal loan financing, arranging of loans; mortgage and mortgage broking services; real estate agency, real estate management and real estate leasing services; leasing of commercial properties; property and real estate financing and investment; property management and valuation; credit services; actuarial services, financial appraisal services, assurance services, underwriting services, insurance underwriting, insurance brokerage, risk assessment and risk consultancy and management services; advisory, consultancy and information services relating to all the aforesaid services; all the aforesaid services including those provided online from a computer database or the Internet.</p>
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The Complainants own the domain name <standardlife.co.uk>, which resolves to the Complainant's official website. The Panel also notes that the domain name <standardlife.com> redirects to the Complainant's domain name <standardlife.co.uk>.

The disputed domain name <yourstandardlife.com> was registered on May 19, 2023, and it resolves to a parked website with pay-per-click ("PPC") links that redirect traffic to competing websites related to financial matters and investments.

5. Parties' Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend the following:

I. Identical or Confusingly Similar.

That the disputed domain name is confusingly similar to the Complainant's trademark and trading name STANDARD LIFE, since said disputed domain name wholly incorporates them.

That the incorporation of additional terms such as "your" at the beginning of the disputed domain name does not prevent a finding of confusing similarity under the first element of the Policy.

II. Rights or Legitimate Interests

That the disputed domain name resolves to a parking page with PPC links, which shows that it has not been used in connection to a bona fide offering of goods or services.

That the Respondent registered the disputed domain name in full knowledge of the Complainants' trademark.

That there is no evidence showing that the Respondent has any rights in a name or sign which is similar or identical to the Complainants' marks.

That the Complainants have not authorized the Respondent to use their marks.

III. Registered and Used in Bad Faith

That the Respondent was aware of the Complainants' widespread international presence through their marks when the Respondent deliberately included them in the disputed domain name, with the purpose of creating a likelihood of confusion – or at least an impression of association – with the Complainants, or their marks.

That the Respondent uses a privacy shield service to obfuscate the Respondent's registration details and contact information. That, with no additional context and a lack of evidence of legitimate use, this is likely because the Respondent is intentionally abusing the disputed domain name.

B. Respondent

Even though the Respondent sent email communications to the Center on February 16 and March 7, 2024, communicating that the Respondent could relinquish the disputed domain name to the Complainants in exchange for USD 950 "in the interest of an amicable resolution and to avoid further dispute or legal action", these communications do not constitute a formal response.

6. Discussion and Findings

Given the Respondent's failure to specifically address the case merits as they relate to the three UDRP elements, the Panel may decide this proceeding based on the Complainants' undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#), and *Encyclopaedia Britannica, Inc. v. null John Zuccarini, Country Walk*, WIPO Case No. [D2002-0487](#); see also WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 4.3).

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 Complainants' trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainants have shown rights in respect of the STANDARD LIFE mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the entirety of Complainants' 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.

Based on the available record, the Panel finds the first element 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.

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent, by failing to specifically address the Complainant's contentions, has not rebutted the Complainants' 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.

The Panel notes that the disputed domain name is being used to resolve to a website with PPC links to competing websites. Therefore, no rights or legitimate interests can be found in favor of the Respondent. [WIPO Overview 3.0](#), section 2.9. Moreover, the Respondent has indicated that he was "willing to offer the Complainant the opportunity to purchase the domain name for \$950 USD."

Therefore, the Panel finds the second element 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.

The Complainants have ascertained their rights over the STANDARD LIFE trademark. The dates of registration of the Complainants' trademarks significantly precede the date of registration of the disputed domain name.

In the present case, the Panel notes that the fact that the Respondent registered the disputed domain name which entirely reproduces the Complainants' trademark STANDARD LIFE, shows that the Respondent, more likely than not, has targeted the Complainants, which constitutes opportunistic bad faith (see [WIPO Overview 3.0](#), section 3.2.1).

Given the notoriety of the trademark STANDARD LIFE, and the widespread use of it that the Complainants have made internationally, this Panel finds that the Respondent, more likely than not, knew the Complainants and their mark STANDARD LIFE at the time of registration of the disputed domain name, which constitutes bad faith registration under the Policy.

Previous panels appointed under the Policy have found that the mere registration by an unauthorized party of a domain name that is identical or confusingly similar to a widely-known trademark, can create a presumption of bad faith (see [WIPO Overview 3.0](#), section 3.1.4). This is so in the present case.

The Panel also notes that the disputed domain name resolves to a parked website comprising PPC links to competing websites. Therefore, this Panel considers that the Respondent is trying to capitalize on the reputation and goodwill of the Complainants by misleading Internet users, for commercial gain, to the website to which the disputed domain name resolves (and the websites to which the PPC links redirect) by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of said websites, which constitutes bad faith under paragraph 4(b)(iv) of the Policy (see [WIPO Overview 3.0](#), section 3.1.4; see also *Ustream.TV, Inc. v. Vertical Axis, Inc.*, WIPO Case No. [D2008-0598](#). “The Respondent’s use of the disputed domain name for a PPC parking page constitutes bad faith use because the Respondent is attracting Internet users to its website by causing confusion as to whether its website is, or is associated with, the Complainant or its services. This conduct disrupts the Complainant’s business by diverting consumers away from the Complainant’s website. The diversion is for the Respondent’s commercial gain because the Respondent receives PPC revenue from those visitors to its website who click through to the advertising on the site. Thus, the Respondent’s conduct constitutes classic bad faith registration and use under paragraph 4(b)(iv) of the Policy [...].”).

Based on the available record, the Panel finds that the Complainants have 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 <yourstandardlife.com> be transferred to the Complainants.

/Kiyoshi Tsuru/

Kiyoshi Tsuru

Sole Panelist

Date: April 1, 2024