



Asian Domain Name Dispute Resolution Centre

hongkong

(Hong Kong Office)

ADMINISTRATIVE PANEL DECISION

Case No.	HK-2401886
Complainant:	Bolttech Holdings Limited
Respondent:	Carolina Rodrigues, Fundacion Comercio Electronico
Disputed Domain Name(s):	<accessboltinsurance.com>

1. The Parties and Contested Domain Name

The Complainant is Bolttech Holdings Limited, of the offices of Walkers Corporate Limited, 190 Elgin Avenue, George Town, Grand Cayman KY1-9008, Cayman Islands. The authorised representative of the Complainant is Paddy Tam, CSC Digital Brand Services Group AB.

The Respondent is Carolina Rodrigues, Fundacion Comercio Electronico, of Calle 74 y Ave., 3 B Sur San Francisco Panama City, Panama.

The domain name at issue is <accessboltinsurance.com>, registered by Respondent with GoDaddy.com, LLC, of 14455 North Hayden Rd, Suite 219, Scottsdale AZ 85260, United States of America.

2. Procedural History

On 23 April 2024, the Hong Kong Office of the Asian Domain Name Dispute Resolution Centre (the "Centre") received the Complaint filed by the Complainant in accordance with the Uniform Domain Name Dispute Resolution Policy (the "Policy") approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on 24 October 1999 and the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules").

On 24 April 2024, GoDaddy.com, LLC ("Registrar") confirmed with the Centre the registration details of the Disputed Domain Name.

On 2 May 2024, the Centre sent an email communication to the Complainant providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint by 7 May 2024. The Complainant submitted the amended Complaint to the Centre on 4 May 2024.

On 7 May 2024, the Centre sent the Notification of Commencement of Proceedings to the Respondent informing the Respondent that the proceedings official commenced and requested the Respondent to reply within 20 days (i.e. on or before 27 May 2024).

On 28 May 2024, the Centre confirmed receiving no response from the Respondent within the specified time period.

On 28 May 2024, the Centre appointed Mr Eugene Low as the sole panelist.

3. Factual background

The Complainant

Bolttech Holdings Limited (“Complainant” or “Bolttech”), through its subsidiaries, is the owner of trademark registrations across various jurisdictions. The trade marks relevant to this domain name dispute are:

TRADEMARK	TRADEMARK OFFICE / JURISDICTION	REGISTRATION NO.	REGISTRATION DATE	CLASS(ES)
BOLT	United States-USPTO	3941837	05/04/2011	36
BOLTTECH	United States-USPTO	6533242	26/10/2021	9, 35, 36, 37, 38, 42, 45
BOLTTECH	European Union - EUIPO	018196179	17/06/2020	9, 35, 36, 37, 42, 45
BOLTTECH	United Kingdom - UKIPO	UK00918196179	17/06/2020	9, 35, 36, 37, 42, 45
BOLTTECH	China - CNIPA	44091598	07/12/2020	36
BOLTECH	Singapore - IPOS	40202003316W	23/02/2021	9, 35, 36, 37, 42, 45
BOLTECH	Malaysia Intellectual Property Corporation - MyIPO	TM2020002899	30/06/2021	9, 35, 36, 37, 42, 45

Launched in early 2020, Bolttech has a proven track record of technology innovation with deep and respected insurance experience. Today, Complainant is present in more than 30 jurisdictions across three continents as they build a global ecosystem that’s inspired by the power of connection. Bolttech currently has more than 700 distribution partners with over 1500 employees and USD 50 billion quoted premiums annually.

Complainant also maintains a strong online presence through its official domain name for the Bolt brand, <boltinsurance.com> registered on January 26, 2010. The website linked to this domain name has received over 34 thousand visits between August and October 2023. Further, Complainant uses the sub-domain <access.boltinsurance.com> to advertise its services under the Bolt Access brand.

The Respondent

The Respondent is Carolina Rodrigues, Fundacion Comercio Electronico, of Calle 74 y Ave., 3 B Sur San Francisco Panama City, Panama.

4. Parties’ Contentions

A. Complainant

The Complainant's contentions may be summarised as follows:

(i) The disputed domain name(s) is/are identical or confusingly similar to a trademark or service mark in which the Complainant has rights:

Complainant is the owner of BOLT trademarks. In creating the Disputed Domain Name, Respondent has added the dictionary terms "access" and "insurance" to Complainant's BOLT trademark, thereby making the Disputed Domain Name confusingly similar to Complainant's trademarks. The fact that such terms are closely linked and associated with Complainant's brand and trademarks only serves to underscore and increase the confusing similarity between the Disputed Domain Name and the Complainant's trademarks. More specifically:

"access bolt insurance" – Complainant's main business is the provision of life insurance products and services. Additionally, "Bolt Access" is Complainant's sister company designed to help customers write business and grow their agency. The Disputed Domain Name is identical to Complainant's sub-domain <access.boltinsurance.com> through which Complainant advertises its services under the Bolt Access brand.

ii) The Respondent has no rights or legitimate interests in respect of the domain name(s):

Respondent is not commonly known by the Disputed Domain Name, which evidences a lack of rights or legitimate interests. There is no evidence, including the Whois record for the Disputed Domain Name, which suggests that Respondent is commonly known by the Disputed Domain Name. Furthermore Complainant has not licensed, authorised, or permitted Respondent to register domain names incorporating Complainant's trademark.

The Respondent is using the Disputed Domain Name to direct internet users to a website featuring links to third-party websites, some of which directly compete with Complainant's business. For instance, the website at which the Disputed Domain Name resolves features multiple third-party links for a variety of insurance plans.

Further, the Disputed Domain Name is being offered for sale in an amount that far exceeds the Respondent's out-of-pocket expenses in registering the domain, which serves as further evidence of Respondent's lack of rights and legitimate interests. .

Respondent registered the Disputed Domain Name on 13 June 2023, which is significantly after Complainant's registrations for the BOLT trademark and the registration of Complainant's <boltinsurance.com> domain name on 26 January, 2010. By the time Respondent registered the Disputed Domain Name, the Complainant already had a worldwide reputation in its trademark which is fully adopted in the Disputed Domain Name.

Furthermore, Respondent is using a private Whois service, which past panels have also found to equate to a lack of legitimate interest.

iii) The disputed domain name(s) has/have been registered and is/are being used in bad faith:

The Complainant and its BOLT trademarks are known internationally, with trademark registrations at the USPTO, EUIPO, UKIPO, CNIPA, IPOS and MyIPO. The Complainant has marketed and sold its goods and services using this trademark at least since 2020 which falls before Respondent's registration of the Disputed Domain Name.

By registering a domain name that incorporates Complainant's trademark, Respondent has created a domain name that is confusingly similar to Complainant's trademark, as well as its <boltinsurance.com> domain name. As such, Respondent has demonstrated a knowledge of and familiarity with Complainant's brand and business. The BOLT trademark is so closely linked and associated with Complainant and its insurance business that Respondent's use of this mark, or any minor variation of it, with such related terms strongly implies bad faith.

Here, Respondent creates a likelihood of confusion with Complainant and its trademarks by registering a domain name that is comprised of Complainant's BOLT trademark and the generic related terms "access" and "insurance", which demonstrates that Respondent is using the Disputed Domain Name to confuse unsuspecting internet users looking for Complainant's services, and to mislead internet users as to the source of the domain name and website. By creating this likelihood of confusion between the Complainant's trademarks and the Disputed Domain Name, leading to misperceptions as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name, the Respondent has demonstrated a nefarious intent to capitalize on the fame and goodwill of the Complainant's trademarks in order to increase traffic to the Disputed Domain Name's website for Respondent's own pecuniary gain, as evidenced by the presence of multiple pay-per-click links posted to Respondent's website, some of which directly reference Complainant and/or its competitors.

Respondent is currently offering to sell the Disputed Domain Name, which constitutes bad faith under paragraph 4(b)(i) of the Policy because Respondent has demonstrated an intent to sell, rent, or otherwise transfer the Disputed Domain Name for valuable consideration in excess of his out-of-pocket expenses.

The Respondent here has previously been involved in a large number of UDRP cases, which provides evidence of the pattern of cybersquatting in which Respondent is engaging.

Further, Respondent has ignored Complainant's attempts to resolve this dispute outside of this administrative proceeding. Respondent, at the time of initial filing of the Complaint, had employed a privacy service to hide its identity, as further evidence of bad faith registration and use.

B. Respondent

The Respondent has not submitted any response.

5. Findings

The ICANN Uniform Domain Name Dispute Resolution Policy provides, at Paragraph 4(a), that each of three findings must be made in order for a Complainant to prevail:

- i. Respondent's domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- ii. Respondent has no rights or legitimate interests in respect of the domain name; and
- iii. Respondent's domain name has been registered and is being used in bad faith.

A) Identical / Confusingly Similar

The Panelist considers that the Complainant has established this element.

The Complainant has registered trade mark rights for the mark "BOLT". The Panelist considers that the mark "BOLT" is inherently distinctive in respect of the Complainant's business and that the mark has acquired a certain degree of reputation through use.

The Disputed Domain Name is not identical to the Complainant's mark "BOLT", but has incorporated this mark in its entirety. Are the additional components "access" and "insurance" sufficient to differentiate the Disputed Domain Name from the Complainant's mark for the purpose of the policy? The Panelist considers in the negative. The terms "access" and "insurance" are descriptive terms and are relatively weak differentiators. "Insurance" is an industry descriptor and is also the Complainant's core business, while "access" can be perceived to simply mean "obtain" or "approach". "Bolt Access" is Complainant's sister company, and the Complainant has a sub-domain <access.boltinsurance.com> through which the Complainant advertises its services under the Bolt Access brand. In the Panelist's opinion, the incorporation of "access" and "insurance" not only fails to differentiate the Disputed Domain Name, but adds to the confusing similarity.

B) Rights and Legitimate Interests

The Panelist considers that the Complainant has established this element.

It is well established that under this Element, the burden of proof shall be effectively shifted to the Respondent once the Complainant has made out a prima facie case.

The Panelist is satisfied that the Complainant has made out a prima facie case that it has the requisite rights over the mark "BOLT" in respect of its business. On the contrary, Respondent is not commonly known by the Disputed Domain Name. Furthermore, the Complainant confirmed that it has not licensed, authorised, or permitted the Respondent to register the Disputed Domain Name.

The Panelist also accepts the Complainant's submissions that there exists bad faith on the Respondent's part (see discussions under the third element below).

In the absence of any Response from the Respondent, there is no evidence before the Panelist to conclude that the Respondent has any rights on legitimate interest in the Disputed Domain Name.

C) Bad Faith

The Panelist considers that the Complainant has established this element.

Based on the Complainant's evidence, the Panelist accepts that the Complainant's "BOLT" trademarks have acquired a certain degree of fame internationally. The Disputed Domain Name is confusingly similar to the Complainant's mark and incorporates the terms "access" and "insurance" which appear to target the Complainant (see discussion under the first element above). In the absence of any explanation put forward by the Respondent, there is a strong inference that such confusing similarities cannot be a pure coincidence. There is also additional evidence of bad faith, including the presence of multiple pay-per-click links posted to the Respondent's website, ignorance of cease and desist letters, and multiple domain name dispute decisions against the Respondent in the past.

Looking at the evidence as a whole, and in the absence of any response put forward by the Respondent, the Panelist has reason to believe that the Respondent knew of and targeted the Complainant's "BOLT" mark, and have registered and is using the Disputed Domain Name in bad faith.

6. Decision

The Complainant has proved all three elements. In accordance with the Complainant's request, the Panelist orders the Disputed Domain Name to be transferred to the Complainant.



Eugene Low
Panelist

Dated: 5 June 2024