

**Domain Name Dispute Resolution Center (DNDRC)**

**Arbitration and Mediation Center**

**COMPLAINT PANEL DECISION**

**Educational Testing Service vs College of Admission Tests**

**Case No. C2021-0002**

**Also in PDF C2021-0002**

**1. The Parties**

The Complainant is Educational Testing Service having its office at Rosedale Road, Princeton, New Jersey 08541, United States of America. The Complainant has initiated the Complaint vide their authorized representative, Muhammad Bashir Abbasi, Advocate High Court, Abu Ghazaleh Intellectual Property Services having its office at Suite No. 604, 6th Floor, Anum Empire Block 7.8, Shahrah e Faisal, Karachi, Pakistan.

The Respondent's name is College of Admission Tests, with its address at Opp. WAPDA Colony, Khanewal Road, Mahmoodabad Colony, Multan, Pakistan.

**2. The Domain Names and Registrar**

The domain name in dispute is <gre.com.pk >, hereinafter referred to as the Disputed Domain Name. Vide email dated Friday 10/03/2021, PKNIC has informed DNDRC that the Agent Organization through which the registration was applied is College of Admission Tests and its Create Date was 2004-12-30 with an Expire Date of 2022-12-30.

**3. Procedural History**

DNDRC was informed of the Complaint against the Respondent as per PKNIC - Internet Domain Registration Policy, by notification from the Complainant on 8 March 2021.

The Respondent was issued notification of the dispute along with a copy of the Complaint and a Response Form on 11 March 2021 informing the Respondent that if a Response was not received 10 days from the notification, the dispute would be proceeded ex parte. DNDRC awaited the submission by the Complainant of the Complaint as per the prescribed forms also available at

[www.dndrc.com/downloads](http://www.dndrc.com/downloads). Reminder notifications were issued to the Respondent on 15 March 2021 and 18 March 2021. The Respondent filed a Response on 31 March 2021.

Applying Paragraph 4(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the *Rules*), DNDRC appointed Mr. Malik Ehsan as the sole Arbitrator who has verified that the Complaint satisfies the formal requirements of the Policy and the Rules.

## **Factual Background**

The domain name upon which the Complaint is based is <www.gre.com.pk>.

PKNIC has confirmed via their email dated 6/02/2021 that the Disputed Domain Name has been registered by the Respondent named in the Complaint and that their email address is .

## **4. Parties Contentions**

### **A. Complainant**

The Complainant's brief contentions are reproduced below:

*The domain name www.gre.com.pk (the "Domain Name") is the subject of this Complaint. The present Complaint has been instituted in order to protect the Complainant's rights with respect to the registered trademark GRE which has been impermissibly copied by the Respondent and registered as a domain name with PKNIC Registry.*

*Respondent, without permission or authorization from Complainant, has secured a domain name registration for the Disputed Domain Name {gre.com.pk}, which consists solely of Complainant's **GRE** Mark in its entirety. Respondent's use of the **GRE** Mark in the Disputed Domain Name is, in itself, likely to cause confusion as to the source or sponsorship of Respondent's website because Complainant owns hundreds of other GRE-formative domain names. Many of these domain names are for country code top-level domains, like the Disputed Domain Name(gre.com.pk).*

*Respondent is engaged in the business of offering test preparation services that are related to those covered by Complainant's **GRE** Mark. Further, Respondent is using Complainant's **GRE** Mark on the website at the Disputed Domain Name to advertise local "GRE" tests that are unrelated to Complainant's exams. Additionally, Respondent's*

*website redirects users—via an “Online Registration” hyperlink—to Complainant’s **GRE**® test registration website. Finally, Respondent is offering official ETS PowerPrep® software for free download on the website at the Disputed Domain Name.*

*Thus, Respondent continues to maintain the domain name registration for the Disputed Domain Name {gre.com.pk} and continues to offer its test preparation services under the **GRE** Mark on the website at the Disputed Domain Name. These activities infringe Complainant’s exclusive rights in the **GRE** Mark and are likely to mislead the general public that Respondent’s use of the Disputed Domain Name, as well as the offering of goods and services on the corresponding website, is authorized or controlled by Complainant or persons having a business connection with Complainant, which is not the case.*

Therefore, the Complainant seeks the following remedy:

*In accordance with ICANN Policy, paragraph 4(i), and PKNIC - Internet Domain Registration Policy, paragraph 4, Complainant requests the Administrative Panel appointed in this administrative proceeding issue a decision that the Disputed Domain Name be cancelled or transferred to the Complainant.*

## **B. Respondent**

The Response was submitted on 31 March 2021 after the expiry of the 10-day period specified in the notification issued to the Respondent on 11 March 2021. However, the Panel condoned the delay in filing of the Response and accepted it for consideration.

The Respondent’s contentions are reproduced below:

*The respondent claim that the respondent registered the dispute domain name because it was available. He claims that he was unaware that the disputed domain name was registered Mark of anyone else. The respondent is ready to forgo the disputed domain name.*

### **a. Jurisdiction**

The Panel’s jurisdiction over this dispute between the Complainant and the Respondent is established by virtue of the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-

19) and the Rules.

The Respondent applied for and was granted registration of the Disputed Domain Name on the basis of these regulations, and has submitted to, the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules and correspondingly to the arbitral jurisdiction of the DNDRC and its arbitration decisions.

## **5. Discussion and Findings**

In the landmark case of *Standard Chartered PLC v. Hosting Campus Domain* (case no. C2007-0001) available on the DNDRC website ([http://www.dndrc.com/cases\\_resolved/pdf/c2007-0001.pdf](http://www.dndrc.com/cases_resolved/pdf/c2007-0001.pdf)), the Panel laid down the following four heads under which to analyze cases, under the PKNIC - Internet Domain Registration Policy, dated 07-Aug-2007, version 4.2 and the UDRP:

1. *Illegality, unlawfulness or otherwise invalidity of the Application & Registration (a criteria in terms of the PKNIC - Internet Domain Registration Policy June 20, 2006 version 4.1 in addition to the criteria of the UDRP)*
2. *Identical or confusing similarity to a trademark or service mark in which the Complainant has rights (a UDRP criteria)*
3. *Legitimate interest in Domain Name (a UDRP criteria)*
4. *Registration and use in bad faith (a UDRP criteria)*

The decision of the dispute shall be addressed with respect to the following aspects:

- i. *Illegality, unlawfulness or otherwise invalidity with respect to the Application & Registration (a PKNIC - Internet Domain Registration Policy (2019-08-19) version 4.4 criteria).*
- ii. *Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).*
- iii. *Legitimate interest in the domain name (a UDRP criteria).*
- iv. *Registration and use of the domain name in bad faith (a UDRP criteria).*

### **I. Illegality, unlawfulness or otherwise invalidity of the Application & Registration**

The PKNIC - Internet Domain Registration Policy (2019-08-19) version 4.4 states that it creates an exception for, and thus excludes the registration of a domain name that:

- a. *infringes upon a registered tradename,*

- b. is not bona fide as recognized by international best practice,
- c. in the opinion of PKNIC, a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law,
- d. has been declared by a Criminal Court of appropriate jurisdiction to have contravened the latest version of Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/Anti-Terrorism Act, 1997/any applicable criminal law), or
- e. in the opinion of PKNIC is not appropriate for registration.

As per the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19),

*If a party claims that a domain name already registered with PKNIC violates their registered tradename, an obvious derivation of their registered company name, is not bona fide as recognized by international best practice, is a contravention in the opinion of PKNIC to be a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law, PKNIC reserves the right to cancel, or transfer the domain to the claiming party as per the ICANN's Uniform Domain Name Dispute Resolution Policy [UDRP] (with PKNIC amendments) or as per the orders of a court judgment in Pakistan.*

Therefore, for the purpose of assessing illegality, unlawfulness or otherwise invalidity of the Application & Registration of the Disputed Domain Name, the application and registration of the Disputed Domain Name shall be assessed in consideration of the following criteria:

- i. Whether the Disputed Domain Name infringes upon a registered trade name / trade mark?
- ii. Whether the application and/or registration of the Disputed Domain Name is bona fide?
- iii. Whether the application and/or registration of the Disputed Domain Name contravenes the Pakistan Penal Code, 1860 (the “Penal Code”) or any applicable criminal law?

The Complainant has stated:

*The unauthorised adoption, use and registration by Respondent of the Disputed Domain Name (which consists of Complainant’s registered and famous GRE Mark) constitute, inter alia, the actionable wrongs of infringement, passing-off and unfair competition. By such adoption and use of the Disputed Domain Name, Respondent infringes Complainant’s exclusive rights in the GRE Mark in Pakistan, and also passes off its respective business, website, and domain name as a source of authorized GRE® test preparation services. In doing so, Respondent unfairly competes with Complainant’s business and infringes*

*Complainant's rights in the GRE Mark. Moreover, through such registration or use of the Disputed Domain Name, Respondent intends to mislead the general public, especially students, into believing that Respondent's Disputed Domain Name and website is authorised or controlled by Complainant or persons having a business connection with Complainant, which is not the case.*

*The unauthorised adoption, registration and use by Respondent of the Disputed Domain Name further falls within the prohibition of the provisions of the Trade Marks Ordinance 2001 and the Pakistan Penal Code 1860, including, in particular, sub-section (6) of section 40 of the Trade Marks Ordinance 2001; clause (1) of paragraph 4 of Third Schedule to the Trade Marks Ordinance 2001; and sections 480, 481, 482, 483, 485 and/or 486 of the Pakistan Penal Code 1860. The text of these provisions is attached hereto as Exhibit 18. Furthermore, in this regard, Complainant relies on the analysis and findings of the DNDRC Panel in Standard Chartered PLC v. Hosting Campus Domain, DNDRC Case No. C2007-0001 (Aug. 30, 2007) (attached as Exhibit 19)*

*In view of the above, there is no doubt that the adoption, registration, and use of the Disputed Domain Name contravenes the provisions of the Policy Agreement and the PKNIC - Internet Domain Registration Policy (attached hereto as Exhibits 20 and 21 respectively), which provide inter alia that:*

*(a) The applicant for registration of a domain name at the time of making the application expressly represents, agrees and warrants as follows: applicant's statements in the application are true and the applicant has the right to use the domain name as requested in the application; applicant has a bona fide intention to use the domain name on a regular basis on the Internet; the use or registration of the domain name by the applicant does not interfere with or infringe the right of any third party in Pakistan, with respect to trade mark, service mark, trade name, company name or any other intellectual property right; and applicant is not seeking to use the domain name for any unlawful purpose, including, without limitation, tortuous interference with contract or prospective business advantage, unfair competition, injuring the reputation of another, or for the purpose of confusing or misleading a person, whether natural or incorporated.*

*(b) The applicant of a domain name at the time of making the application certifies that, to his or her knowledge, the use of the domain name does not violate trade mark or other statutes.*

*It will be noted that the DNDRC Panel in the above-mentioned case (see Exhibit 16) has found that if a complainant simply establishes that the respondent's domain name infringes upon the complainant's registered trade name or trade mark, this renders the respondent's domain name illegal, unlawful and invalid and further constitutes an adequate ground for compulsory transfer of the domain name to the complainant.*

The Respondent has submitted as follows:

*According to respondent, he was unaware that he is using the domain name which is similar to Mark of anyone else.*

Based on the detailed information provided by the Complainant and taking in consideration the submissions of the Respondent, the Panel finds that the registration of the Disputed Domain Name by the Respondent infringes upon the registered trademark of the Complainant by incorporating the same in its entirety. Given the well-known nature of the Complainant's mark both in Pakistan and worldwide, the Panel can infer that the Respondent was aware of the trademark of the Complainant at the time of registration, which may indicate that the registration of the Disputed Domain Name by the Respondent was not bona fide. Finally, as the Disputed Domain Name incorporates the registered trademark of the Complainant in its entirety, the Panel finds that the same would prima facie violate applicable criminal laws.

The Panel may decide this Complaint on this basis alone. However, for the sake of completeness and procedural fairness, but not to create a binding precedent, this Panel shall also assess the Complaint in terms of the ICANN UDRP as amended by the PKNIC- Internet Domain Registration Policy (2019-08-19) ver 4.4.

## **II. Identical or confusing similarity to a trademark or service mark in which the Complainant has rights**

The Complainant has contended the following:

*Complainant Educational Testing Service ("ETS" or "Complainant") owns exclusive rights worldwide in the trade mark **GRE**® (the "**GRE** Mark"). Complainant is the proprietor in Pakistan and elsewhere of the **GRE** Mark in connection with a variety of goods and services, including those falling in classes 9, 16 and 41 of the International Classification of Goods and Services. For example, in addition to developing, administering, and scoring a series of examinations under the **GRE** Mark, ETS has developed numerous **GRE**® test preparation products and services, including but not limited to, print publications, compact discs, computer software and online writing exercises. These products and services provide information on the **GRE**® test, as well as **GRE**® practice test questions.*



*The GRE Mark is exclusively associated with Complainant, and Complainant has acquired common law and statutory rights in the GRE Mark. Apart from the common law rights enjoyed by Complainant in the GRE Mark based on its use of the GRE Mark since 1941, Complainant owns registrations for the GRE Mark in numerous countries around the world. In Pakistan, the earliest registration for the GRE Mark dates back to November 25, 1987. Complainant therefore has prima facie exclusive prior rights to use the GRE Mark throughout the world and in Pakistan in connection with Complainant's products and services.*

*In light of the exclusive association between the **GRE** Mark and Complainant's products and services worldwide and in Pakistan, any unauthorized use of the **GRE** Mark in connection with similar goods and services infringes the **GRE** Mark and is highly likely to deceive or confuse consumers that Complainant has sponsored or approved of those goods and services. The **GRE** Mark is so extremely well known within the educational testing services industry in Pakistan and throughout the world that when consumers see domain names incorporating the **GRE** Mark, it is likely they will believe the associated website will direct them to an authorized ETS website with goods and services that ETS has approved.*

*The facts and evidence provided in paragraphs 7 and 8(a) to (g) above clearly demonstrate that the GRE Mark is the exclusive property of Complainant, which has the prima facie prior registered right to use the GRE Mark in relation to its goods and services throughout the world, including in Pakistan.*

*The Disputed Domain Name, exclusive of the extension, consists solely of the GRE Mark, which is the registered trade mark of Complainant throughout the world and in Pakistan. As stated by the WIPO Panel in Dr. Ing. H.c.F. Porsche AG v. Vasiliy Terkin, WIPO Case No. D2003-0888 (Jan. 6, 2004) (attached as Exhibit 12), a domain name that wholly incorporates a complainant's registered trade mark is sufficient to establish confusingly similarity. See also Educational Testing Service v. Educational Training Services, Sonny Pitchumani, Randal Nelson and MLI Consulting, Inc., WIPO Case No. D2004-0324 (June 18, 2004) ("Previous panels have held that if a domain name incorporates a complainant's mark in its entirety, it is confusingly similar to that mark despite the addition of other words.") (attached as Exhibit 13).*



*Complainant shall furnish decisions rendered by the WIPO Panel in support of its case during the course of hearing (if appointed) to substantiate its claim.*

*Based on the above, there can be no doubt that the Disputed Domain Name is identical and/or confusingly similar to the GRE Mark in which Complainant has prior exclusive rights.*

On the other hand, the Respondent has not denied that the Disputed Domain Name is identical to the trademark in which the Complainant has rights.

It is apparent that the Disputed Domain Name incorporates the entirety of the trademark owned by the Complainant, GRE, which is registered in Pakistan, in many other jurisdictions and is a well-known mark. The addition of a ccTLD “.COM.PK” is not relevant to the analysis of confusing similarity. Other than the insertion of a ccTLD, the Disputed Domain Name consists wholly of the mark belonging to the Respondent.

The Complainant has provided sufficient information, including annexing evidence of the same, that the Complainant has rights in the trademark GRE. The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant’s trademark.

### **III. Legitimate interests in a domain name**

As per paragraph 4(c), the UDRP requires the Respondent’s claim to be of legitimate interest and shall be “*proved based on all evidence presented*” that “*shall demonstrate*” the Respondent’s “*rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii).*”

Paragraph 4(a)(ii) states that:

*“(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or*

*(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or*

*(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”*

The Complainant has contended:

*Pursuant to ICANN Policy, sub-paragraph 4(c), Respondent may only show rights in the Disputed Domain Name by its (1) use or preparations to use the domain name in connection with a bona fide offering of goods or services prior to notice of the dispute; (2) being commonly known by the domain name; or (3) use of the Disputed Domain Name for legitimate purposes that are non-commercial or which qualify as fair use. Respondent fails on all counts as discussed below:*

*Complainant has never authorized, licensed, or consented to Respondent's registration or use the Disputed Domain Name. Respondent also has no affiliation with Complainant.*

*Complainant further believes that Respondent has never been known by the Disputed Domain Name nor has it ever been known by the GRE Mark or any other name containing the word "GRE." Indeed, Respondent links to Complainant's website from the website at the Disputed Domain Name, indicating it is aware that Complainant is the owner of the GRE Mark.*

*Respondent furthermore has misappropriated the GRE Mark and copyrighted materials owned by Complainant. Thus, Respondent has not used the Disputed Domain Name to make a bona fide offering of any goods or services other than to take undue advantage of the goodwill and reputation of Complainant.*

*Respondent is clearly not making any non-commercial or fair use of the Disputed Domain Name. Respondent is using the Disputed Domain Name (which consists of Complainant's famous GRE Mark in its entirety) to intentionally attempt to attract the general public, including Complainant's customers, to Respondent's website by creating a likelihood of confusion with the GRE Mark as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name by Complainant. As a result, Respondent's use cannot constitute a fair or non-commercial use.*

On the other hand, the Respondent has not asserted that it has a legitimate interest in the Disputed Domain Name and has agreed that the Disputed Domain Name may be transferred to the Complainant.

The Panel based on the information provided by the Complainant and unsatisfactory response by the Respondent finds that the Respondent does not have rights to or a legitimate interest in the Disputed Domain Name pursuant to the Policy, particularly as there is no indication that the Respondent was known by the GRE Mark, and given that the Respondent is making non-commercial use of the GRE mark owned by the Complainant in the Disputed Domain Name without necessary authorization.

#### **IV. Registration and use in bad faith**

The Complainant has made the following submission:

*ICANN Policy, sub-paragraph 4(b)(iii), allows a finding of bad faith if the registration is primarily for the purpose of disrupting the business of a competitor. Respondent's action in registering the Disputed Domain Name is likely to deprive Complainant of "the chance to be contacted by prospective customers," which suggests bad faith. See SGS Societe Generate de Surveillance S.A. v. Inspectorate, WIPO Case No. D2000-0025 (Mar. 17,2000) (attached as **Exhibit 14 to the complaint**). Respondent is using the Disputed Domain Name to operate a website where Respondent uses the **GRE** Mark without authorization in connection with Respondent's test preparation goods and services, constituting unlawful "passing off" in Pakistan. As noted, Respondent is not an authorized licensee of Complainant. Accordingly, a customer who views the website, sees the description of ETS featured on the website or the link to ETS's website, or downloads ETS's copyrighted materials from the website may adopt the mistaken belief that Respondent has an association with Complainant or its affiliates based on its registration and use of a domain name that prominently and repeatedly uses the **GRE** Mark and distributes ETS's copyrighted materials. The offering of test preparation services in competition with Complainant and the distribution of Complainant's copyright test preparation materials necessarily disrupts Complainant's business.*

*ICANN Policy, sub-paragraph 4(b)(iv), also allows a finding of bad faith where the respondent intentionally attempts to attract, for commercial gain, Internet users to its website 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 the website or products or services on the website. Respondent's registration of the Disputed Domain Name infringed Complainant's rights in the **GRE** Mark, as the Disputed Domain Name contains the **GRE** Mark in its entirety and is used for commercial gain in offering goods and services that are related to those offered by Complainant. When Respondent acquired the Disputed Domain Name, it had constructive knowledge of the **GRE** Mark via*

*Complainant's trade mark registrations in Pakistan (as well as in numerous other countries around the world) and due to the worldwide fame of the **GRE** Mark. Respondent's knowledge of Complainant's rights in the **GRE** Mark is also demonstrated by its admission on the website at the Disputed Domain Name that "GRE is conducted and administered by ETS," as well as its link to ETS's official website—the uses of which further create a likelihood of confusion that Complainant is the source of or endorses Respondent's website or the goods and services offered on the website. Notwithstanding this knowledge and complete lack of authorization, Respondent intentionally registered the Disputed Domain Name containing the famous **GRE** Mark, without authorization, for infringing purposes and to attempt to attract users to its website for commercial gain. As stated by the WIPO Panel in Kraft Foods (Norway) v. Fredrik Wide and Japp Fredrik Wide, WIPO Case No. D2000-0911 (Sep. 23, 2000) (attached as **Exhibit 15 to the complaint**), the fact "that the Respondent chose to register a well-known mark to which he has no connections or rights indicates that he was in bad faith when registering the domain name at issue." See also Red Bull GmbH v. Harold Gutch, WIPO Case No. D2000-0766 (Sep. 21, 2000) (attached as **Exhibit 16 to the complaint**) (finding the respondent's use of a domain name incorporating complainant's mark would lead visitors to believe that the domain name was affiliated with the complainant, thereby making the registration alone equal to use in bad faith). Upon receipt of Complainant's cease and desist letter, Respondent should have discontinued its use of the Disputed Domain Name and transferred the Disputed Domain Name to Complainant and/or deactivated the domain name. However, Respondent failed to respond or acknowledge ETS's communications. This failure further supports an inference of bad faith. Giorgio Armani S.p.A. Milan Swiss Branch Mendrisio v. Lizhen Ye, WIPO Case No. D2013-0808 (June 23, 2013) ("[A] (attached as **Exhibit 17 to the complaint**) according to previous UDRP decisions, the failure of the Respondent to respond to the letter of demand from the Complainant may further support[] an inference of bad faith."). Respondent's use of the Disputed Domain Name is evidence of, and establishes that, the Disputed Domain Name has been registered and is being used in bad faith.*

The Respondent on the other hand has submitted that:

*The respondent claim that the respondent registered the dispute domain name because it was available. He claims that he was unaware that the disputed domain name was registered Mark of anyone else. The respondent is ready to forgo the disputed domain name.*

While the Respondent claims that it was unaware that the GRE mark was the registered mark for anyone else, it is noted that the GRE mark has worldwide fame and the Respondent admittedly provides services related to those offered by the Complainant. The information provided by the Complainant, which are not rebutted by the Respondent, that the Respondent was using the mark of the Complainant to redirect visitors to its website for commercial benefit are indicative of bad faith.

The Panel based on the information provided by the Complainant and unsatisfactory response by the Respondent finds that the Respondent's use of the Disputed Domain Name is evidence of, and establishes that, the Disputed Domain Name was registered and is being used in bad faith.

## **6. Decision**

Analyzing the details provided by the Complainant and the response of Respondent, the Panel perceives that the GRE mark has been registered by the Complainant, hence the Complainant reserves crucial interest in such mark. Usage of these marks by the Respondent could endanger the reputation that the Complainant has worked hard at building and maintaining and result in confusion as to the registrant of the Disputed Domain Name.

Taking the discussion above into consideration, the Panel concludes and decides that:

1. The Respondent's registration of the Disputed Domain Name is contrary to the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19).
2. The Disputed Domain Name is confusingly similar to the Complainant's trademark/names.
3. The Respondent has no legitimate interest in the Disputed Domain Name.
4. The Disputed Domain Name were registered and being used in bad faith.

Pursuant to Section 4 of the PKNIC - Internet Domain Registration Policy Version 4.4, the Panel therefore recommends that PKNIC transfer the registration of the domain name in dispute <gre.com.pk> to the Complainant, as prayed within 48 business hours of receipt of this decision by email or its being uploaded on to DNDRC's website [www.dndrc.com/cases\\_resolved/](http://www.dndrc.com/cases_resolved/), whichever is earlier. The Complainant shall also be at liberty to contact PKNIC for implementation of this decision.

**Arbitrator: Mr. Malik Ehsan**

**Sole Panelist**

**Date: 10 May 2021**