

## **ADMINISTRATIVE PANEL DECISION**

Mantech International Corporation v. Whoisguard Protected, Whoisguard, Inc.  
/ Larry Desmond  
Case No. D2019-0436

### **1. The Parties**

Complainant is Mantech International Corporation of Herndon, Virginia, United States of America (“United States”), represented by Oblon, McClelland, Maier & Neustadt, L.L.P., United States.

Respondent is Whoisguard Protected, Whoisguard, Inc. of Panama, Panama / Larry Desmond of “Cottge Grove”, Minnesota, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <mantech-corp.com> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 25, 2019. On February 26, 2019, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 26, 2019, 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 and contact information in the Complaint. The Center sent an email communication to Complainant on February 28, 2019, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on March 4, 2019.

The Center verified that the Complaint together with the amendment to the 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 Respondent of the Complaint, and the proceedings commenced on March 6, 2019. In accordance with the Rules, paragraph 5(a), the due date for Response was March 26, 2019. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on March 29, 2019.

The Center appointed Michael A. Albert, David H. Bernstein and M. Scott Donahey as panelists in this matter on April 26, 2019. The Panel finds that it was properly constituted. Each member of 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**

Complainant is the owner of the domain name <mantech.com> which has been registered since 1994. The domain name links to an active website promoting Complainant's services and products.

Complainant was founded in 1968 and since that date has developed substantial good will and common law rights in the marks MANTECH and MANTECH INTERNATIONAL CORPORATION. Today Complainant is a multi-billion dollar publicly traded corporation well-known for providing information technology services to the government and private sector.

Complainant owns the marks MANTECH and MANTECH INTERNATIONAL CORPORATION, as well as additional marks which consist of or include the word MANTECH including the following:

- Mark: MANTECH; United States Registration No. 1,955,765; Registered: February 13, 1996
- Mark: MANTECH; United States Registration No. 3,410,468; Registered: April 8, 2008
- Mark: MANTECH; United States Registration No. 3,432,771; Registered: May 20, 2008
- Mark: MANTECH INTERNATIONAL CORPORATION; United States Registration No. 3,161,265; Registered: October 24, 2006
- Mark: MANTECH INTERNATIONAL CORPORATION; United States Registration No. 3,464,066; Registered: July 8, 2008
- Mark: MANTECH INTERNATIONAL CORPORATION (STYLIZED); United States Registration No. 3,532,541; Registered: November 11, 2008

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant alleges that the disputed domain name is confusingly similar to Complainant's MANTECH and MANTECH INTERNATIONAL CORPORATION marks because it wholly incorporates Complainant's MANTECH mark notwithstanding the addition of the generic term "corp," and the generic Top-Level Domain ("gTLD") ".com".

Complainant also alleges that Respondent has not made and is not making any legitimate noncommercial or fair use of the disputed domain name. There is no evidence whatsoever that Respondent has made any use of, or demonstrable preparations to use, the domain name <mantech-corp.com> in connection with the *bona fide* offering of goods and services. Nor is there any evidence that Respondent is well-known by the name MANTECH or the disputed domain name.

Lastly, Complainant alleges that Respondent's conduct is in bad faith as evidenced by Respondent's use of the disputed domain name in emails to attempt to fraudulently procure equipment from Complainant's vendors by posing as purchasing representatives of Complainant.

##### **B. Respondent**

Respondent did not reply to Complainant's contentions.

#### **6. Discussion and Findings**

##### **A. Identical or Confusingly Similar**

The disputed domain name fully incorporates Complainant's well-known MANTECH mark along with the

generic term “corp” and the gTLD “.com.” The disputed domain name is therefore confusingly similar to Complainant’s mark MANTECH INTERNATIONAL CORPORATION. Both the domain name and Complainant’s mark are dominated by the identical word “mantech”.

The Panel finds that Complainant has satisfied paragraph 4(a)(i) of the Policy.

### **B. Rights or Legitimate Interests**

There is no evidence that Respondent has made any use of, or demonstrable preparations to use, the domain name <mantech-corp.com> in connection with the *bona fide* offering of goods and services. Nor is there any evidence that Respondent is well-known by the name MANTECH or the domain name <mantechcorp.com>.

Complainant has shown that the domain name is not based on any legitimate rights or interests. Rather, it is being used as part of an email address whereby Respondent uses false and fraudulent pretenses to pose as Complainant to order thousands of dollars of computer merchandise from Complainant’s suppliers.

The Panel finds that Complainant has satisfied paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

The disputed domain name was registered and is being used in bad faith. Respondent is using the domain name to attempt to fraudulently procure equipment from Complainant’s vendors by posing as purchasing representatives of Complainant, ManTech International Corporation.

Complainant’s electronic equipment vendors began receiving emails from an individual named James Hoffman who was identified falsely on the emails as a purchasing representative of the ManTech International Corporation. ManTech International Corporation does not employ anyone named James Hoffman. The emails purported to purchase over USD 60,000 worth of electronic computer equipment for the ManTech International Corporation. The emails requested that the equipment be delivered to storage sites unaffiliated with Complainant, where the equipment, presumably, would be picked up by Respondent in the scheme to defraud both Complainant and its vendors.

The Panel finds that Complainant has satisfied paragraph 4(a)(iii) 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, <mantech-corp.com> be transferred to Complainant.

**Michael A. Albert**  
Presiding Panelist

**David H. Bernstein**  
Panelist

**M. Scott Donahey**  
Panelist  
Date: April 30, 2019