



## CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

### DOMAIN NAME DISPUTE

### ADMINISTRATIVE PANEL

### DECISION

CIIDRC case number:	<b>26877-UDRP</b>	Decision date: June 19, 2026
Domain Name:	<b>greenlandirrigation.com</b>	
Panel:	<b>Claire Kowarsky</b>	
Complainant:	<b>Greenland Irrigation</b>	
Respondent:	<b>Naeem Durrani</b>	

#### 1. PROCEDURAL HISTORY

This matter is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the “**UDRP**” or the “**Policy**”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “**Rules**”) of the Internet Corporation for Assigned Names and Numbers (“**ICANN**”) and the CIIDRC Supplemental Rules (the “**Supplemental Rules**”).

This administrative proceeding concerns the domain name <greenlandirrigation.com> (the “**Domain Name**”).

The Domain Name was transferred to the current Registrar and Registrant on February 27, 2026.

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre (“**CIIDRC**”) to the Panel which noted:

- a) On March 17, 2026, the Complainant filed a Complaint pursuant to the UDRP and the UDRP Rules via online platform.
- b) The identity of the Registrant is not published in the public WHOIS database; therefore, the Registrant’s name was not included in the Complaint.
- c) On March 21, 2026, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and the Registrar responded on March 23, 2026 advising of the identity of the Respondent and providing the above contact details. In addition, the Registrar confirmed that the Domain Name was placed in a Registrar LOCK.
- d) The Complaint was found not in compliance with the UDRP Rule 3.2. The Complainant was informed of the Respondent’s information as provided by the Registrar.
- e) On March 30, 2026 the Complaint was re-submitted. CIIDRC has checked the Complaint and determined that it satisfies the formal requirements of the Policy and Rules, and the Supplemental Rules.

CIIDRC appointed me as the single member Panel, and I have submitted my duly completed declaration of impartiality and independence.

Further procedural points to this matter are:

- a) After discrepancies were identified regarding the Respondent's identity and the relevant Registrar, the Registrar was contacted again on May 14, 2026, to verify the Respondent's identity.
- b) On May 24, 2026, the Registrar confirmed that the Respondent's identity differed in certain respects from the party originally identified by the Registrar.
- c) In light of the above development, the Notification of Complaint was served on the appropriate party on May 25, 2026, and a 20-day period was provided for the submission of a Response to the Complaint.
- d) The Respondent did not file a Response within the prescribed deadline.

## 2. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant asserts that the three elements of the Policy are satisfied, and the Domain Name should be transferred to it.

The Complainant's contentions are not contested by the Respondent and may be summarized as follows:

The Complainant is Greenland Irrigation, the trading name of an Ontario, Canada business incorporated in 1995 and operating continuously since 1986. Over the course of approximately four decades, the Complainant expanded its services to include synthetic turf, landscaping, snow removal, and outdoor lighting, and developed a substantial customer base of more than 2,500 clients throughout southwestern Ontario.

The Complainant registered the Domain Name, <greenlandirrigation.com>, in 1998 and states that it has been continuously renewed since that date. The Complainant submits that the Domain Name became central to its commercial identity and online presence. The Complainant used the Domain Name in connection with its business website, customer communications, employee email accounts, and marketing activities. The Complaint further states that the Complainant invested considerable time and resources in promoting the GREENLAND IRRIGATION name through websites, search engine visibility, social media, and related branding efforts.

The Complainant does not claim to own any registered trademark rights in GREENLAND IRRIGATION. However, the Complainant contends that it has acquired substantial common law rights in the name through longstanding and continuous commercial use dating back several decades. In support of these asserted rights, the Complaint references business incorporation documents, business cards, banking materials, Google search results, social media pages, a media article, and historical online presence associated with the Domain Name.

The Complaint alleges that, on February 22, 2026, the Domain Name, together with five other domain names owned by the Complainant, was transferred without authorization from the Complainant's registrar account. According to the Complaint, the Respondent subsequently activated a website at the Domain Name which purports to offer similar services while containing inaccurate or non-functional contact information, including telephone numbers and links that allegedly do not connect to any legitimate business operation.

The Complainant submits that the Respondent has no rights or legitimate interests in the Domain Name. In support of this position, the Complainant states that the Respondent is not commonly known by the name "Greenland Irrigation," has no affiliation with the Complainant, and is using the Domain Name to impersonate or create confusion with the Complainant's long-established business. The Complaint further alleges that the

Respondent's conduct has disrupted the Complainant's operations by interfering with customer communications and disabling email functionality associated with the Domain Name.

The Complaint further alleges that the Domain Name was registered and is being used in bad faith. The Complainant contends that the Respondent intentionally appropriated a Domain Name associated with an established business in order to mislead Internet users, divert customers, and disrupt the Complainant's commercial activities. The Complaint also raises concerns that customers, including elderly clients, may be exposed to fraud or deception through the Respondent's alleged impersonation of the Complainant's business.

Pending resolution of this proceeding, the Complainant states that it restored its former website content under a different Domain Name, <greenlandirrigationontario.com>, in an effort to continue operations.

The Complainant requests transfer of the Domain Name.

- **Respondent**

The Respondent did not file any response.

- **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

### **3. DISCUSSION AND FINDINGS**

#### **3.1 Requirements**

In accordance with Paragraph 4 of the Policy, the onus is on the Complainant to prove that:

1. the Domain Name is Identical or Confusingly Similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
3. the Domain Name has been registered and is being used in bad faith.

The Panel will consider each of these requirements in turn.

#### **3.2 Analysis**

##### **3.2.1 The Domain Name is Identical or Confusingly Similar to a Mark in which the Complainant has Rights**

The first element of the Policy establishes a threshold standing requirement. To satisfy this element, a complainant must demonstrate rights in a trademark or service mark and show that a disputed domain name is identical or confusingly similar to that mark.

The Domain Name is <greenlandirrigation.com>. It is identical to the phrase GREENLAND IRRIGATION apart from the addition of the generic top-level domain ".com", which is generally disregarded for purposes of the comparison under the first element. The principal issue under this element is therefore whether the Complainant has established rights in the asserted mark GREENLAND IRRIGATION.

The Complainant does not claim to own any registered trademark rights in GREENLAND IRRIGATION. Rather, the Complainant relies on alleged common law rights arising from longstanding use of the name in connection

with irrigation, landscaping, synthetic turf, and related services in southwestern Ontario. Panels have recognized that unregistered marks may support standing under the Policy where the complainant demonstrates that the asserted mark has become a distinctive identifier associated with the complainant's goods or services through use.

Here, the asserted mark consists of the words "Greenland" and "Irrigation." The Complaint alleges use of the name Greenland Irrigation since at least 1995 when the business was incorporated and claims that the Complainant registered and used the Domain Name from 1998 until it was transferred without authorization from the Complainant's account in February 2026. The Complaint further states that the term GREENLAND IRRIGATION was used extensively in connection with the Complainant's business website, email communications, customer outreach, and social media presence.

The evidentiary record submitted by the Complainant is relatively limited but includes several materials intended to support its claimed common law rights in GREENLAND IRRIGATION. These include an incorporation document, business cards, and a blank cheque displaying the name GREENLAND IRRIGATION. The Complainant also provides a Google search result referencing its business name, as well as an undated online media article from London Inc stating that Greenland Irrigation was established in 1986.

Further, the Complainant submits evidence of its social media presence, including Facebook pages at <https://www.facebook.com/greenlandirrigation> and <https://www.facebook.com/greenlandturf>. These pages include posts dating back several years, including relevantly a post dated January 21, 2020 depicting a photo of what appears to be a trade exhibition stand with prominent signage displaying GREENLAND IRRIGATION.

Finally, the Complaint asserts that the Complainant has developed a customer base of approximately 2,500 clients throughout southwestern Ontario over several decades of operation.

While the record does not contain evidence such as advertising expenditures, consumer surveys, or detailed sales figures, the Panel finds the Complainant's submissions to be credible. In the Panel's view, the materials and links provided sufficiently support the Complainant's assertion that GREENLAND IRRIGATION has been used for many years as an identifier of the Complainant's business and services and has thereby acquired distinctiveness. Accordingly, the Panel finds that the Complainant has established sufficient common law rights, at least within the Ontario local area, in the mark GREENLAND IRRIGATION for purposes of the first element of the Policy.

### **3.2.2 Rights or Legitimate Interests in respect of the Domain Name**

The second element of the Policy requires the Complainant to establish that the Respondent has no rights or legitimate interests in respect of the Domain Name. It is well-established that a complainant is required to make out a prima facie case, following which the burden of production shifts to the respondent to demonstrate rights or legitimate interests in the Domain Name. The ultimate burden of proof, however, remains with the Complainant.

Paragraph 4(c) of the Policy sets out a non-exhaustive list of circumstances by which a respondent may demonstrate rights or legitimate interests in a domain name.

The first circumstance concerns use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering of goods or services prior to notice of the dispute. Here, the record indicates that the Domain Name historically resolved to the Complainant's business website for many years and was used in connection with the Complainant's irrigation and landscaping business. According to the Complaint, following the alleged unauthorized transfer of the Domain Name in February 2026, the Domain Name began resolving to a

different website displaying purported landscaping or irrigation-related content together with non-functioning links and inaccurate contact information.

The Panel has reviewed the limited evidence submitted regarding the website associated with the Domain Name since it was transferred away from the Complainant's control. No screenshots of the website associated with the Domain Name were provided with the Complaint. When the Panel attempted to access the Domain Name at the time of preparing this Decision, it did not resolve to any active content. On this basis, the Panel is unable to make findings as to the current appearance or content of any associated website, rather, there is no active website at all.

In these circumstances, the Panel does not find that the Respondent's use of the Domain Name demonstrates a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.

The second circumstance under paragraph 4(c)(ii) concerns whether the Respondent has been commonly known by the Domain Name. There is no evidence in the record that the Respondent is commonly known by the name "Greenland Irrigation" or by the Domain Name, rather the Registrar verification confirmed the Respondent identity to be "Naeem Durrani", an individual located in the United Arab Emirates. Nor is there evidence of any authorization, licence, or other relationship between the Parties that would support such a finding.

The third circumstance concerns legitimate non-commercial or fair use of the Domain Name without intent for commercial gain to misleadingly divert Internet users or create confusion. The record does not support such a finding here. Rather, the Complainant claims that the Domain Name was used in connection with a website that appears intended to impersonate or imitate the Complainant's business presence, and the current available record shows no active use at all. The Complaint further states that the Domain Name previously functioned as the primary address for the Complainant's business email communications and customer contact channels, and that the alleged unauthorized transfer disrupted those communications.

The Panel also considers it significant that the Domain Name is identical to the name under which the Complainant has conducted business for many years. In the circumstances of this case, the use of the Domain Name in connection with a website that – according to the Complainant's uncontested claims - previously referenced similar services, and which is currently inactive, supports an inference that the Respondent sought to capitalize on confusion associated with the Complainant's business identity rather than to make any legitimate use of the Domain Name.

The Respondent has not filed a Response and has therefore not rebutted the Complainant's satisfactory prima facie case.

Accordingly, the Panel finds that the Complainant has established the second element of the Policy.

### **3.2.3 Registration and Use of the Domain Name in Bad Faith**

Under the third element of the Policy, the Complainant must establish that the Domain Name has been registered and is being used in bad faith.

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that may evidence bad faith registration and use, including where a respondent uses a domain name intentionally to attract, for commercial gain, Internet users to a website by creating a likelihood of confusion with a complainant's mark as to source, sponsorship, affiliation, or endorsement.

The record in this case supports a finding that the Respondent was aware of the Complainant and its asserted GREENLAND IRRIGATION mark at the time the Domain Name was acquired or registered by the Respondent.

The Domain Name is identical to the name used by the Complainant in connection with its business for many years. The Complaint states that the Domain Name had been used continuously by the Complainant since 1998 in connection with its website, email systems, and customer communications.

The Complainant plausibly asserts that, following the alleged unauthorized transfer of the Domain Name, the Respondent caused the Domain Name to resolve to a website containing content related to landscaping or irrigation services similar to those offered by the Complainant. The Complaint also alleges that the website contained inaccurate or non-functioning contact information and does not identify any legitimate operating business.

On the present record, the Panel finds that the Respondent's use of the Domain Name is likely to create confusion among Internet users seeking the Complainant and its services. The Domain Name wholly incorporates the asserted GREENLAND IRRIGATION mark and corresponds exactly to the business name used by the Complainant over an extended period of time. In these circumstances, the Panel considers it more likely than not that the Respondent registered or acquired the Domain Name with knowledge of the Complainant and with the intention of taking advantage of the goodwill associated with the Complainant's business identity.

The Panel also notes the Complainant's evidence that the Domain Name historically functioned as the primary email domain for the Complainant's employees and customer communications. The alleged disruption of those communications following the transfer of the Domain Name further supports an inference of bad faith targeting of the Complainant's business operations.

The Respondent has not participated in this proceeding and has offered no explanation for its registration or use of the Domain Name.

Having regard to the totality of the circumstances, the Panel finds that the Domain Name has been registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

#### 4 DECISION and ORDER

For the above reasons, in accordance with Paragraph 4 of the Policy, Paragraph 15 of the Rules, and Rule 10 of the Supplemental Rules, the Panel orders that the Domain Name is **TRANSFERRED** to the Complainant.

Made as of June 19, 2026

SIGNATURE OF PANEL

