



## DECISION OF THE THIRD-PARTY DECIDER

**Compassion International / Dreamforge Creations**

**Case no. 444247 / domain name compassion.be**

### 1. The Parties

#### 1.1.1 Complainant:

**Compassion International, Inc.**

12290 Voyager Parkway, Colorado Springs, Colorado 80921, United States of America

*Represented by:*

Michelle Tourfillott, Esq

Neal & McDevitt, LLC

2801 Lakeside Drive, Suite 201, Bannockburn, Illinois 60015, United States of America

Hereinafter referred to as "the Complainant".

#### 1.1.2 Domain name holder:

**Dreamforge Creations** (contact Christopher Laughlin)

3 Center Pond Road, Nelson, New Hampshire 03455, United States of America

*Represented by:*

Bart Van Besien

Finnian

K. De Deckerstraat 20A, 2800 Mechelen, Belgium

Hereinafter referred to as "the Domain name holder".

### 2. Domain name

Domain name: compassion.be

Registered on: 19 September 2007



Hereafter referred to as "the Domain Name".

### 3. Procedure

The Complaint was filed on 23 June 2025.

The Domain name holder submitted a Response on 14 July 2025.

CEPANI appointed the Third-party Decider on 16 July 2025.

On 17 July, the Complainant requested permission to submit a brief retort, because the Domain name holder allegedly revealed in his Response facts that were unknown to the Complainant at the time of filing and the Domain name holder formulated arguments that the Complainant wished to address.

The Domain name holder informed CEPANI that according to him, there was no need for additional submissions at this stage.

The Third-party Decider decided on 18 July 2025 that the Complainant's request to respond is reasonable, given that there are (for him) unexpected response arguments. He allowed both parties to file additional arguments, which they did.

The Complainant submitted a Reply on 1 August 2025, and the Domain name holder submitted a Final Retort on 14 August 2025. All submissions were timely and in accordance with the CEPANI Rules.

The debates were closed on 22 August 2025.

### 4. Factual Background information

The Complainant, Compassion International, Inc., is a Christian charitable organization founded in 1952, with a global presence and a focus on child development and poverty alleviation. The Complainant owns several trademark registrations for the word mark COMPASSION in the United States and owns the international trademark for the word COMPASSION covering 25 countries or territories.

The Complainant also owns a European Union trademark and a UK trademark consisting of the word COMPASSION and a device element representing a playing or moving person. For over 70 years, the Complainant has used its COMPASSION trademarks in connection with charitable goods and services for which the marks are registered.

According to the Complainant, there are currently nearly 57,000 donors in Belgium and the Netherlands who are sponsoring children through Compassion's programmes.

The Complainant operates under various domain names consisting of the word COMPASSION and the top level domain name suffix, such as .com, .org, .nl, .de, .it, .ch, .ie and .es.



The Domain name holder, Dreamforge Creations (contact person Christopher Laughlin), registered the Domain Name on 19 September 2007. The Domain Name currently redirects to the website of the Dalai Lama (<dalailama.com>). The Domain name holder asserts that the registration was motivated by a personal and philosophical interest in the concept of compassion, particularly in the context of Buddhist philosophy, and that the Domain Name was registered as part of a portfolio of generic, values-based domain names. According to the Domain name holder, he also registered the domain names <compassionate.be>, <courageous.be> and <betruth.be>.

The Complainant first contacted the Domain name holder on 26 March 2025, seeking to acquire the Domain Name, stating amongst others: *"We are a non-profit organization based in the Netherlands, with a branch in Belgium (see compassion.nl). We would be very interested in taking over the compassion.be domain from you, if possible. Would you be open to discussing this?"*

After unsuccessful attempts to reach an agreement, the Complainant initiated this proceeding.

## 5. Position of the parties

### Position of the Complainant

The Complainant argues that the elements listed in Article 10b (1) of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE have been satisfied.

- i) The Domain Name is identical or confusingly similar to its COMPASSION trademarks in which the Complainant has rights

The Complainant has submitted evidence of relevant U.S and foreign trademark registrations of its COMPASSION trademarks. The Complainant's evidence of registered trademarks in various countries is sufficient to establish rights in a Trademark.

The disputed domain name is identical to Compassion's COMPASSION mark.

The ".be" extension may be disregarded in the assessment of the identity or similarity between the trademark and the Domain Name, pursuant to well-established case law of CEPANI.

- ii) The Respondent has no rights or legitimate interests in the Domain Name

The Complainant states that the Domain name holder has no rights or legitimate interests in the Domain Name referring to Article 10b (3) of the Policy with the non-exhaustive list of such circumstances which can demonstrate the Domain name holder's rights or legitimate interests in the Domain Name.

According to the Complainant, the Domain name holder did not use the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services or made demonstrable preparations for such use; the Domain name holder was not commonly known by the Domain Name; He did not make a legitimate and non-commercial or fair use of the



Domain Name, without intent to misleadingly divert consumers for commercial gain or to tarnish the trademark.

Instead, the Domain name holder registered and is using the Domain Name solely to redirect internet users to a website that does not align with the Complainant's Statement of Faith as outlined on its website.

Promoting the values and teachings of the Dalai Lama, a well-known non-Christian religious leader who is not affiliated with the Complainant, does not confer legitimate interests of the Domain name holder. Registration of an identical domain name to suggest a false affiliation with the Complainant cannot be considered fair use of the Domain Name.

The Domain name holder registered the Domain Name on 9 September 2007, which is significantly after the Complainant filed for registration of its COMPASSION Marks, and significantly after the Complainant's first use in commerce of its trademark in 1966, or the registration of its domain name <compassion.com>, which it registered on 24 April 1998.

The Domain name holder resides in the United States where the Complainant has longstanding use of the mark COMPASSION in connection with its charitable fundraising services and related goods. The Domain name holder has actual knowledge of the Complainant as of at least 26 March 2025 (the date of the Complainant's first email to the Domain name holder).

For these reasons, the Complainant requests that the Third-Party Decider finds that the Complainant has established this second element under the Policy.

iii) The Domain Name has been registered or is being used in bad faith

According to the Complainant, the Domain name holder has specifically selected a domain name that is identical to the Complainant's COMPASSION trademarks. The Domain name holder intends to trade off the goodwill and public recognition of the Complainant, driving traffic away from the Complainant to the redirected website showing the Dalai Lama.

Given Complainant's strong reputation in the industry, it is implausible to believe that the Domain name holder was not aware of the Complainant's COMPASSION trademarks when it registered the Domain Name.

Registering a domain name with knowledge of the Complainant's rights and with the intent to divert traffic away from the Complainant to promote religious beliefs that are fundamentally different from Compassion's faith-based mission is evidence of bad faith registration and use.

The Domain Name can only be taken as intending to cause confusion among internet users as to its source.

Therefore, the Complainant requests that the Domain Name be transferred to the Complainant.



### Position of the Domain name holder

The Domain name holder believes that the conditions of Article 10, b), 1. of the general terms and conditions for .be domain name registrations of DNS Belgium have not been met. Therefore, the Domain name holder argues that the Complaint must be dismissed, and that the Domain Name should not be transferred to the Complainant.

First, the Domain name holder finds that the Complainant's reliance on its trademarks raises several concerns, including that many of the asserted trademarks are not valid or enforceable in Belgium, that several marks are figurative trademarks, meaning protection is granted for the combination of visual and textual elements, not for the standalone word "Compassion", that a number of these trademarks were registered after the Domain Name was registered on 19 September 2007, and that the goods and services covered by the Complainant's Trademarks (e.g., printed publications, fundraising, etc.) are unrelated to the Domain name holder's interests or use of the Domain Name.

Second, with regard to the right of legitimate interests, the Domain name holder explains that the Domain Name has a generic character, as it consists of a word of the English language. It has repeatedly been held that, for generic domain names, the "first come, first served" principle applies. The word 'compassion' is commonly used in company names. The concept of 'compassion' is a shared value in many ancient and modern religions and philosophies. The current redirection of the Domain Name to the website of the Dalia Lama is in fact a "legitimate non-commercial" use, as well as a "fair use" of the Domain Name.

The Domain name holder does not need the Complainant's authorization to register and/or use a generic domain name. Whether or not the Domain name holder is commonly known by the Domain Name is not relevant: the Domain name holder does not see why he needs to be commonly known by the Domain Name, which is in essence a generic domain.

According to the Domain name holder he was active in the professional field of humanitarianism and human rights. The Domain Name registration reflected the Domain name holder's personal interest at the time, in studying and practicing compassion and courage in his life, especially through the Buddhist tradition and the teachings of the Dalai Lama.

The Domain name holder had no knowledge of the Complainant when registering the Domain Name and only became aware of it in March 2025, nearly 17 years after registration of the Domain Name, upon receiving an email from the Complainant's Dutch affiliate. The Domain name holder responded once to the mails of the Complainant. He became concerned that the inquiries of the Complainant might be a scam, and he stopped responding.

## 6. Discussion and findings

Pursuant to Article 16.1 of the CEPANI rules for domain name dispute resolution, the Third-Party Decider shall rule on domain name disputes with due regard for the Policy and the CEPANI rules for domain name dispute resolution.



Pursuant to Article 10.b (1) of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE, the Complainant must provide evidence of the following:

- *" the registrant's domain name is identical or confusingly similar to a trademark, a trade name, a registered name or a company name, a geographical designation, a name of origin, a designation of source, a personal name or name of a geographical entity in which the complainant has rights; and*
- *the registrant has no rights or legitimate interests in the domain name; and*
- *the registrant's domain name has been registered or is being used in bad faith."*

### **The Domain Name is identical or confusingly similar to trademarks in which the Complainant has rights**

The Complainant has provided evidence of registrations for the word mark COMPASSION and for the word and device mark with the word COMPASSION in several jurisdictions, including the European Union (which covers Belgium), the United States, and many other countries. The Domain Name is identical to the Complainant's registered word mark COMPASSION, disregarding the ".be" extension, as is standard in domain name disputes.

The Domain name holder argues that some of the Complainant's trademarks are figurative. This is correct, but the Domain name holder also owns the work mark COMPASSION and, in any event, the Domain Name is confusingly similar to the figurative trademarks which mainly contain the word COMPASSION.

The Domain name holder also argues that some of the Complainant's trademarks post-date the Domain Name registration, or are not valid in Belgium. This is correct, but the first criterion of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE does not require that the mark invoked pre-dates the domain name registration neither that it is valid in Belgium.

Accordingly, the Third-party Decider finds that the Domain Name is identical or confusingly similar to a trademark in which the Complainant has rights.

### **The Domain name holder has no rights or legitimate interests in the Domain Name**

The Third-party Decider notes that "compassion" is a common English word and a universal value recognized across many cultures and religions. The Domain name holder has provided evidence of other domain names registered in a similar fashion and has not used the Domain Name to target the Complainant or to create confusion with the Complainant's activities. The redirection to the Dalai Lama's website is non-commercial and does not reference the Complainant or its activities, even if it only occurred after the first contact with the Complainant.



The registration and use of a generic word as a domain name can confer rights or legitimate interests, provided the use is in good faith and does not trade off the goodwill of a trademark owner. In an earlier case, the CEPANI panel decided both in first instance and in appeal, that there may be a legitimate interest in the registration and use of a generic word such as SLA as a .be domain name (Cepani, ALS Liga België vzw Ligue SLA Belgique asbl /OCOM iP B.V., 44398).

In the domain name dispute resolution under the UDRP, which is similar to the .be dispute resolution, the WIPO Overview of WIPO Panel Views on Selected UDRP Questions (Third Edition) reads: *"generally speaking, panels have accepted that aggregating and holding domain names (usually for resale) consisting of acronyms, dictionary words, or common phrases can be bona fide and is not per se illegitimate under the UDRP."*

The Complainant's argument that he has not authorized the Domain name holder to use the Complainant's trademarks in the Domain Name is correct, but the Domain name holder does not always need the Complainant's authorization to register the Domain Name, definitely not when the Domain Name consists of a generic word. The same applies to the finding that the Domain name holder is not commonly known by the Domain Name: the Domain name holder does not need to be commonly known by the Domain Name, definitely not when the Domain Name is a generic word.

The Third-party Decider finds that the Domain name holder's registration and use of the Domain Name, in the absence of convincing evidence to the contrary, constitutes a legitimate, non-commercial use.

Therefore, the Complainant has not met its burden to show that the Domain name holder lacks rights or legitimate interests in the Domain Name.

### **The Domain Name has been registered or is being used in bad faith**

The Complainant must show that the Domain Name was registered or is being used in bad faith.

The Third-party Decider does not agree with the Complainant that the Domain name holder registered the Domain Name to prevent the Complainant from registering it, to trade off the Complainant's goodwill, or to divert users to a site with fundamentally different religious content.

It is plausible that the Domain Name was registered for its generic meaning, which is reflected in the redirection to the Dalai Lama's website. There is no evidence of an intent to sell the Domain Name to the Complainant, to disrupt the Complainant's business, or to create confusion.

The Third-party Decider finds no evidence that the Domain name holder registered the Domain Name with the Complainant or its trademark in mind. The Domain name holder's explanation for the registration is plausible and supported by evidence of other similar registrations and a professional background in humanitarian work. The redirection to the Dalai Lama's website, while not aligned with the Complainant's Christian mission, is not in itself evidence of bad faith, particularly as it is non-commercial and does not reference or target the Complainant.



The Third-party Decider also notes the significant lapse of time (17 years) between the registration of the Domain Name and the initiation of this dispute, which further undermines any inference of bad faith.

Accordingly, the Third-party Decider finds that the Domain Name was not registered or used in bad faith.

## 7. Abuse of the proceedings: article 16.4 of the Cepani Rules

The Domain name holder states that the Complaint is liable for abuse of the proceedings, under article 16.4 of the Cepani Rules. He asserts that the respondent failed to address the generic nature of the Domain Name, used misleading arguments and omitted relevant evidence.

This is, obviously, being disputed by the Complainant.

According to the Third-party Decider, the Complainant's use of CEPANI's alternative domain name dispute resolution proceedings does not amount to reverse domain name hijacking or an attempt to abuse the proceedings of the CEPANI Rules. The Complainant owns valid trademark registrations forming a plausible legal basis for attempting to acquire the Disputed domain name which is identical to its trademarks. The arguments developed by the Complainant in relation to the legitimate interest and to bad faith are reasonable, even if the Third-party Decider found that they were not convincing enough to order the transfer of the Domain Name.

Therefore, the claim of the Domain name holder that the Complainant abused the proceedings is dismissed.

## 8. Decision

Consequently, pursuant to Article 10(e) of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE, the Third-Party Decider denies that the Domain Name "compassion.be" has to be transferred to the Complainant.

Brussels, 28 August 2025

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Tom HEREMANS

The Third-party Decider