DISPUTE RESOLUTION SERVICE DECISION

General Catalyst Group Management, LLC v. Garth Piesse
Case No. DUK2026-0106

1. The Parties

1.1. The Complainant is General Catalyst Group Management, LLC, United States of America ("United States"), represented internally.

1.2. The Respondent is Garth Piesse, New Zealand, represented by Adlex Solicitors, United Kingdom.

2. The Domain Name and Registry

2.1. The Registry of the Domain Name <generalcatalyst.co.uk> (the "Domain Name") is Nominet UK ("Nominet" or the "Registry").

3. Procedural History

3.1. The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on 14 September 2026. On 14 September 2026, the Center transmitted by email to the Registry a request for registry verification in connection with the Domain Name. On 15 September 2026, the Registry transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent ("Unknown") and contact information in the Complaint. The Center sent an email communication to the Complainant on 15 September 2026

inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on 15 September 2026.

3.2. The Center verified that the Complaint satisfied the formal requirements of the Dispute Resolution Service (the ”Policy” or ”DRS Policy”).

3.3. In accordance with the Policy, paragraphs 3 and 6, the Center formally notified the Respondent of the Complaint on 21 September 2026. In accordance with the Policy, paragraph 7, the due date for Response was 12 October 2026. The Response was filed with the Center on 5 October 2026. The Respondent sent an email communication to the Center on 16 September 2026.

3.4. In accordance with the Policy, paragraph 9, the due date for the Complainant’s Reply was 12 October 2026. The Complainant submitted a Reply on 7 October 2026.

3.5. The Parties were invited to mediation on 7 October 2026. The Registry confirmed the mediation was unsuccessful on 23 October 2026.

3.6. The Complainant paid the fee for an expert decision on 24 October 2026.

3.7. The Center appointed Chris Tulley as the Expert in this matter on 29 October 2026. The Expert finds that it was properly constituted. The Expert has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Policy, paragraph 15.

1. On 29 October 2026 the Respondent submitted a Further Statement and a separate ‘explanatory paragraph’ to say why there was an exceptional need for the non-standard submission, in accordance with paragraph 17.3 of the Policy.

2. On 5 November 2026 the Expert was sent the explanatory paragraph. By mistake, the Respondent’s Further Statement was also sent to the Expert at the same time. The Expert confirmed that he would open and read only the explanatory paragraph in order to decide whether or not to admit the Further Statement. Having done so, and as discussed below, the Expert decided not to admit the Further Statement and therefore did not open or read it.

4. Factual Background

4.1. The Complainant manages a venture capital investment business which trades as 'General Catalyst'. It was founded in 2000 in the United States where it has six offices along with one each in London, Berlin and Bengaluru in India. Its principal website is at "www.generalcatalyst.com".

4.2. The Respondent is a domain name trader based in New Zealand. He registered the Domain Name in 2024 when it became available on a drop-list.

4.3. The Respondent immediately listed it for sale on Saw.com, a third-party website dedicated to the sale, purchase and management of domain names. The Domain Name therefore resolves to a separate one-page website on the Saw.com platform inviting visitors to 'Make an Offer'.

4.4. No other use has been made of the Domain Name by the Respondent.

5. Parties' Contentions

In summary, in the Complaint, which was supported by various exhibits, the Complainant made the following submissions:

5.1. The Complainant is the management company of General Catalyst, a global venture capital firm founded in 2000 and headquartered in Cambridge, Massachusetts, with offices in the United States and Europe, including London. The Complainant has operated under the name GENERAL CATALYST continuously since 1999 and operates its principal website at "www.generalcatalyst.com".

5.2. The Complainant is the owner of United States trade mark registration No. 2,596,809 for the word mark GENERAL CATALYST, registered on 23 July 2002, covering business consulting and business management services, investment of funds and venture capital investment services, with first use in commerce in March 1999.

5.3. The Complainant also has substantial unregistered rights and goodwill in the name GENERAL CATALYST arising from more than 25 years of continuous worldwide use in connection with venture capital and investment services, including in the United Kingdom, where the Complainant maintains a London office.

5.4. Disregarding the ".co.uk" suffix, the Domain Name is identical to the Complainant's GENERAL CATALYST mark and to the Complainant's own primary domain name, <generalcatalyst.com>.

5.5. The Domain Name was registered on 24 January 2024, more than two decades after the Complainant's Rights were established.

5.6. The Respondent has no apparent connection with the name "General Catalyst", which is distinctive of and exclusively associated with the Complainant.

5.7. The Domain Name is not used for any genuine offering of goods or services. It resolves solely to a brokerage page operated through the Saw.com domain marketplace stating, "THIS DOMAIN NAME IS FOR SALE", listing the domain as a "Premium Domain" and soliciting offers in US Dollars.

5.8. The Domain Name has no MX, SPF, or DMARC records and is therefore not configured for email use.

5.9. These circumstances fall squarely within paragraph 5.1.1.1 of the DRS Policy: the Domain Name was registered or otherwise acquired primarily for the purposes of selling, renting or otherwise transferring it to the Complainant or to a competitor of the Complainant for valuable consideration in excess of the Respondent's documented out-of-pocket costs.

5.10. An exact match for a well-known investment firm's mark has no plausible value to any purchaser other than the Complainant (or a party seeking to trade on or abuse the Complainant's name), and the general offer for sale of such a domain at a "premium" price is itself evidence of that purpose.

5.11. Further, given that the Domain Name is identical to the Complainant's mark, any email or website use by the Respondent would inherently confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant (as per paragraph 5.1.2 of the DRS Policy). The Domain Name has in fact been rated an active brand-impersonation risk by the Complainant's brand-protection monitoring.

5.12. Nominet's own validation process was unable to match the Respondent's name and/or address against a third-party source, which is consistent with the giving of false or incomplete contact details and further supports a finding of Abusive Registration.

In summary, in the Response, which was supported by various exhibits, the Respondent made the following submissions:

5.13. The Respondent is a domain name trader and owns a substantial portfolio of descriptive / generic / common / dictionary-word domains.

5.14. The Respondent registered the Domain Name on 24 January 2024. The Respondent had become aware that it was on a drop-list and assumed that the previous owner no longer wanted it.

5.15. The Respondent thought it a potentially attractive domain name to acquire, and offer for sale, because it reflected an obvious combination of descriptive terms likely to be of interest to a significant number of businesses or organisations because it conveys impetus, momentum etc., and/or has uses in a scientific/technical context. The Respondent duly resolved the Domain Name to a webpage listing it for sale.

5.16. The Respondent owns many other similar domain names consisting of two descriptive words, with a “general-” prefix or “-catalyst” suffix, dating back to 2011, including <venturecatalyst.co.uk> (2011), <businesscatalyst.co.uk> (2012) and <growthcatalyst.co.uk> (2024).

5.17. The Respondent accepts that the Complainant has rights in the term “GENERAL CATALYST” for the purposes of the DRS Policy based purely on its registered trade mark, and that this is identical to the Domain Name.

5.18. The Complainant only came to the Respondent’s attention when the Complainant asserted this claim. The Respondent, who is located in New Zealand, was not aware of the Complainant on registration of the Domain Name; nor was there any reason why the Respondent should have heard of it. The Respondent is not located in the United States and had no reason/obligation to find the United States registered trade mark, the only evidence of rights produced by the Complainant.

5.19. The Respondent had no reason to think that the entirely anodyne and descriptive combination of “general” and “catalyst” had any trade mark significance, particularly in light of the Respondent’s ownership of many similar domain names. In addition to its obvious meaning as generally precipitating something, the term has specific descriptive meanings in science/technology, such as chemistry, AI and quantum physics.

5.20. The Respondent has never used the Domain Name in any way relevant to the Complainant’s industry.

5.21. There are approximately 1,800 UK companies whose names include the word "catalyst".

5.22. The Complainant claims that the Domain Name was offered for sale at a "'premium' price", but without giving details. In fact, the minimum offer price for the Domain Name was set at only USD $2,500 - hardly an indicator of an intent to target a company on the alleged (but unproven) scale of the Complainant. The only reason that users were invited to offer in United States dollars is that this is the only currency used by the Saw.com platform, to which all of the Respondent's domain names resolve.

5.23. Given the lack of relevant Respondent knowledge, the Complaint must fail, even without the need to refer to the specific abusive registration factors raised by the Complainant, considered below for completeness.

5.24. The Complainant claims that the Respondent has no "apparent connection" with the Domain Name, which is allegedly "not used for any genuine offering of goods or services", and that it resolves "solely" to a brokerage page. However, paragraph 8.4 of the Policy observes that "[t]rading in domain names for profit, and holding a large portfolio of domain names, are of themselves lawful activities". Furthermore, section 3.2 of the DRS Expert Overview, version 3, makes clear that deciding to sell a domain name at a profit is unlikely of itself to constitute an abusive intent, unless the registrant set out to target the trade mark owner at the time of registration of the domain name.

5.25. As the Respondent was unaware of the Complainant at the time of acquisition of the Domain Name he could not have acquired it for the purpose of sale to the Complainant.

5.26. As regards being an exact match for the Complainant's trade mark, paragraph 5.1.6 of the Policy requires that the Complainant's mark has established "a reputation" which it has failed to show and that the Respondent has no reasonable justification for having registered the Domain Name. The Respondent has more than established such a justification, as explained above.

5.27. This is not a case of "initial interest confusion" - see page 15 (first paragraph) of the appeal panel decision in *flora.co.uk* (DRS 22793/4). As with the inactive domain in that case, someone really looking for the Complainant and finding the Respondent's simple page offering the Domain Name for sale would immediately realise they were in the wrong place. No adverse inference would arise (or would be fleeting). Furthermore, this is not a case where initial interest confusion is inevitable as the term "general catalyst" is highly descriptive and not exclusive to the Complainant. Nor has the Respondent done anything to encourage any such confusion. The Respondent has simply registered the Domain Name and offered it for sale.

5.28. The Complainant relies on the result of its own monitoring service to say that the Domain Name is “an active brand-impersonation risk”, when there is plainly no evidence of impersonation whatever.

5.29. The Complainant’s final point that the Respondent has given false or incomplete contact information is based only on Nominet being unable to validate the registrant’s name and/or address. But Nominet publishes a very clear explanation and acknowledgment that (a) its validation is a very limited exercise, namely checking against various standard databases; (b) the fact that Nominet cannot validate data does not necessarily mean the data is incorrect; and (c) it is difficult to validate names of overseas registrants and overseas addresses are only validated “against similar type sources where they exist”.

5.30. It is therefore entirely unsurprising that Nominet’s Whois record for the Domain Name bore this very common “unable to validate” statement.

5.31. If the Complainant’s objection is that the Respondent’s details are not shown on the Whois, this is also a non-point as individual names have been excluded from .uk Whois queries by default since 2018. Indeed, the Whois printout produced by the Complainant names the Respondent as registrar of the Domain Name, and therefore the Complainant must have known that it was highly unlikely that the Respondent’s details were “false or incomplete”.

5.31.1. The Respondent’s details are correct, are the same as those that have been cited in its multiple successful DRS cases, and the Complainant has produced no evidence of falsity whatever.

5.31.2. As per paragraph 9.2 of the Policy, the Complainant should not be allowed to correct the fundamental flaws in its Complaint by providing new information or evidence in a Reply.

5.31.3. This is a case which should never have been brought and the Respondent has been put to unnecessary inconvenience and cost. The Respondent requests a finding of Reverse Domain Name Hijacking (RDNH) for the following reasons:

5.31.4. Despite having apparently taken some trouble to acquaint itself with the DRS Policy, the Complainant has made no serious effort to establish abusive registration and has provided minimal supporting evidence.

5.31.5. The Complainant has raised spurious arguments that plainly conflict with the DRS Policy (e.g., contesting the legitimacy of domain name trading and regarding allegedly false Whois details).

5.31.6. It is clear that the Complaint has been filed principally because the Complainant wants to obtain a domain name that its monitoring service flagged as “an active brand-impersonation risk”, presumably because of its similarity with the Complainant’s name, but without any evidence of abusive registration, let alone impersonation.

5.32. The Respondent refers to the following previous cases (some involving the Respondent - marked “Respondent”) where similar behaviour by complainants was held to constitute or contribute to RDNH:

5.32.1. Generally relying on “weak and absurd arguments with very little evidence in support”: *bgc.co.uk* (DRS 26299) / *check24.co.uk (*DRS 28103 - Respondent); imposing an undue burden on a respondent defending a hopeless case including in terms of time and costs: *ouroboros.co.uk* (DRS 26917 - Respondent) / *check24.co.uk (*DRS 28103 - Respondent); disregarding the clearly worded provisions of the Policy: *wedonate.co.uk* (DRS 27231 - Respondent) / *check24.co.uk (*DRS 28103 - Respondent).

5.32.2. Providing little or no supporting evidence: *mango.co.uk* (DRS 15585 - Respondent) / *so31.co.uk* (DRS 16688) / *splitpay.co.uk* (DRS 21075 - Respondent) / *matesrates.co.uk* (DRS 21240 - Respondent) / *bgc.co.uk* (DRS 26299) / *ouroboros.co.uk* (DRS 26917 - Respondent) / *check24.co.uk (*DRS 28103 - Respondent).

5.32.3. Proceeding as if legitimate domain name dealing equated to abusive registration: *so31.co.uk* (DRS 16688) / *cloudtravel.co.uk* (DRS 27838 - Respondent) / *check24.co.uk (*DRS 28103 - Respondent).

5.32.4. Failing to address the fact that the disputed domain comprised a descriptive term: *matesrates.co.uk* (DRS 21240 - Respondent).

5.32.5. (If the Complainant elects not to pay for a decision:) Failing to pay for a decision indicating that the complainant realised that its cause was doomed: *splitpay.co.uk* (DRS 21075 - Respondent) / *matesrates.co.uk* (DRS 21240 - Respondent) / *wedonate.co.uk* (DRS 27231 - Respondent).

The Complainant filed a Reply supported by further exhibits which, in summary, made the following submissions:

5.33. The Reply is confined to new matters raised for the first time in the Response. It introduces no new grounds of complaint.

5.34. The Response raises five new assertions:

5.34.1. *That the Respondent had never heard of the Complainant.* The Respondent is a professional domain name trader who acquires names on the basis of their resale value. The commercial value of a two-word name depends on who uses those two words. A search of the two words together, on any search engine, returns the Complainant. A search of the two words together on the Companies House register returns a single company: General Catalyst Group Management UK Limited incorporated on 30 November 2020, at Southampton Street, London. The Complainant has maintained an office in London for close to two decades. The Respondent's exhibited search for the single word "catalyst" reports 1,781 results. But a search for "general catalyst" finds only the Complainant. The Respondent's own chosen method, applied to the actual term in dispute, points at one entity. The assertion of no knowledge is therefore not merely unproven but is contradicted by the one search a domain trader assessing resale value would be expected to run.

5.34.2. *That the domain name was acquired from a drop-list because the Respondent assumed "the previous owner no longer wanted it".* This is advanced to suggest abandonment, but the Complainant has never registered or held the Domain Name. Whoever the previous registrant was, it was not the Complainant, and no inference of abandonment by the Complainant can be drawn. The relevant fact is not who held the Domain Name before January 2024, but that a domain name identical to the Complainant's mark became available and was acquired by a trader who then listed it for sale.

5.34.3. *That the sale listing, at a minimum offer of USD $2,500, shows no targeting*. The relevant screenshot is dated 2 October 2026, nineteen days after the Complaint was filed, and shows a "minimum offer" field. A minimum offer is a floor set and adjustable by the seller at any time. The exhibit shows what the Respondent chose to display after receiving the Complaint. It does not show what the listing said at registration or at any point in the preceding thirty-two months. What the listing looked like at registration is a matter of contemporaneous record. The Complainant's brand monitoring provider notified the Complainant of the registration on 4 February 2024, eleven days after it occurred. The provider's analyst observed in writing the same day: "It looks like they put it up for sale immediately too." The Respondent's reliance on paragraph 8.4 of the Policy and section 3.2 of the Expert Overview is misplaced. Neither provision protects the registration of a name identical to a registered mark, listed for sale on the day of acquisition, by a trader whose stated business is assessing what names are worth to whom.

5.34.4. *That the Complaint was brought only because a monitoring service flagged the domain name*. The Response implies it is a recent, tool-driven afterthought but the messages exhibited to the Reply show that within two hours of the February 2024 notification the Complainant's Chief Information Officer confirmed in writing that the Domain Name had not been registered by the Complainant and the monitoring provider responded confirming the immediate sale listing of the Domain Name and placed it on the Complainant's suspected list. The Complainant has treated the domain name as an abusive registration since the week it was made. The Complaint is the continuation of that position, not its origin.

5.34.5. *That the Complainant has no reputation in the term "General Catalyst"*. The Respondent's list of other domains he says he holds which start with "general", taken at face value, pairs the word with a trade that businesses use to describe themselves by finance, construction, surgery, cleaning, consulting. But "General Catalyst" is not a trade description. No business describes itself that way and the only entity using the two words as a name is the Complainant. None of the Respondent's list of passages of academic prose in which "general" happens to precede "catalyst" as an adjective in a sentence show the term used as a name, a product, or a description of any business. They show that the words exist in English, but it does not show that the combination has any meaning that would lead a trader to it, other than the Complainant's name. The Respondent's own Exhibit of a search for UK "catalyst" named companies establishes the Complainant's UK corporate presence. The Complainant has operated from London for nearly 20 years and is one of the most widely reported venture investors in the United Kingdom. The Respondent has placed reputation in issue, and the Complainant answers it: the Complainant's name is well known in the market in which the Respondent chose to list the domain name for sale. The words "general catalyst" are not descriptive. It is not like *flora.co.uk (DRS 22793/4)* upon which the Respondent relies as that domain name was a dictionary word with many independent commercial uses, whereas "general catalyst" has one. A person arriving at "www.generalcatalyst.co.uk" is a person looking for the Complainant. The page they find invites them to make an offer for the Complainant's name.

5.35. The Respondent also asks for a finding of RDNH on the basis that the Complaint was brought "principally because" of a monitoring flag, with "minimal supporting evidence", on "spurious arguments". But the Complainant holds a registered trade mark identical to the Domain Name and has a corporate and physical presence in the United Kingdom predating the registration by many years. The Complainant objected to the registration within days of learning of it and has maintained that objection since. The Domain Name has been offered

for sale from the day it was registered. A complaint on those facts is not harassment. It is the purpose for which the DRS Policy exists.

5.36. The authorities cited by the Respondent are largely the Respondent's own prior cases. They concern dictionary words and generic phrases. None concerns a two-word name identical to a registered trade mark and used as a name by one entity only.

5.37. The Respondent's case rests on a claim of ignorance that his own exhibits undermine, a sale price fixed after the Complaint, and a characterisation of the Complainant's conduct that the contemporaneous record contradicts. The Complainant maintains that the registration is abusive and requests that the Domain Name be transferred.

The Respondent filed a further submission on 29 October 2026.

5.38. As required by paragraph 17.3 of the Policy, it was supported by a separate paragraph to explain why there is an "exceptional need" for the non-standard submission. It stated that the purpose of the submission was "to address the serious misrepresentations of the Response in the Reply as well as to object to the admissibility of certain submissions/evidence in the Reply under 9.2 of the Policy".

5.39. Paragraph 9.2 of the DRS Policy states, "Any reply by the Complainant must be restricted solely to matters which are newly raised in the Respondent's response and were not raised in the Complainant's complaint as originally submitted to us".

5.40. I decided not to read or take account of the Respondent's further submission because I was not swayed that the explanation demonstrated an exceptional need for it. I can decide for myself how much weight to give the Reply and in particular whether or not it materially misrepresents what is said in the Response and whether or not it materially strays beyond matters newly raised in the Response.

6. Discussion and Findings

What must the Complainant prove in order to succeed?

In order to succeed in this DRS dispute, the Complainant must prove, on the balance of probabilities, two matters, namely that:

a) the Complainant has Rights in respect of a name or mark which is identical or similar to the Domain Name; and

b) the Domain Name, in the hands of the Respondent, is an Abusive Registration.

These terms are defined in the DRS Policy as follows:

Rights means rights enforceable by the Complainant, whether under English law or otherwise, and may include rights in descriptive terms which have acquired a secondary meaning.

Abusive Registration means a Domain Name which either:

i. was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's Rights; or

ii. has been used in a manner which took unfair advantage of or was unfairly detrimental to the Complainant's Rights

Does the Complainant have Rights?

The Respondent rightly concedes that the Complainant has relevant Rights for the purposes of the DRS Policy in respect of its GENERAL CATALYST name arising from its United States trade mark registration for those words.

The Respondent does not accept that the Complainant has proven that it has any further unregistered Rights. The Complaint made reference to the Complainant being "a global venture capital firm founded in 2000 […] with offices in the United States and Europe, including London", that it "operates its principal website at generalcatalyst.com" and "has substantial unregistered rights and goodwill in the name GENERAL CATALYST arising from more than twenty-five years of continuous worldwide use in connection with venture capital and investment services". It further said that its name was "a well-known investment firm's mark" and "is distinctive of, and exclusively associated with, the Complainant". The point being made by the Respondent is that the Complainant did not exhibit any documentary evidence to

support those bare claims or give any further details to demonstrate the scale and scope of its business under the General Catalyst name.

However, the Complaint did at least refer me to the Complainant's website at "www.generalcatalyst.com", which describes a substantial venture capital investment business with over USD $43 billion of assets under management invested in a portfolio of over 900 companies, including some very well-known businesses like Anthropic, Airbnb, Deliveroo and Stripe. It has six offices in the USA and one each in London, Berlin and Bengaluru, India. That does provide sufficient support for finding that, in addition to its registered trade mark, the Complainant also has unregistered Rights in its name, at least in relation to its particular area of business.

Are those Rights in respect of a name or mark which is identical or similar to the Domain Name?

In assessing whether a domain name is identical or similar to a name or mark, the ".co.uk" suffix may be ignored, unless perhaps the name or mark concerned itself includes a particular top-level domain suffix, which is not the case here.

As is conceded by the Respondent, the GENERAL CATALYST name and mark is identical to the Domain Name.

I therefore find that the Complainant has Rights in a name or mark which is identical to the Domain Name.

Is the Domain Name, in the hands of the Respondent, an Abusive Registration?

Paragraph 5 of the DRS Policy sets out examples which may be evidence that the Domain Name is an Abusive Registration. The Complainant relies upon Paragraph 5.1.1.1, which states:

"Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily for the purposes of selling, renting or otherwise transferring the Domain Name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly associated with acquiring or using the Domain Name";

This concerns the Respondent's motives at the time of registration or acquisition of the Domain Name. The Respondent says this cannot be made out because he is based in New Zealand and was not aware of the Complainant's existence until he received the Complaint. I agree that knowledge of the Complainant is a pre-requisite for paragraph 5.1.1.1 of the Policy to have any potential relevance.

The Respondent says he acquired the Domain Name from a drop-list and had assumed that the previous owner no longer wanted it. The Complainant appears to have mis-read or misinterpreted what was said as it took exception to this statement in its Reply, having apparently understood it to be an allegation that the Complainant had abandoned the Domain Name. No such allegation was made or inferred in the Response.

The Respondent says that before acquiring the Domain Name he had no reason to search for and find the Complainant's United States trade mark registration, and he considered the Domain Name to be just a combination of two words that had an obvious descriptive meaning, and it would fit with other *general* prefix and *catalyst* suffix domains that he already held in his portfolio. The word "catalyst" does have a specific meaning in science, and it has been adopted in everyday figurative speech to describe a person or thing that causes change or action. Adding the word "general" has an additional meaning in science to distinguish something from a specific or limited catalyst, but it could be considered superfluous in everyday speech as it does not really change or add to the existing descriptive meaning, although it is probably a common enough addition to be made.

The Complainant may be a large venture capital business and be relatively well-known in that industry, but it is a niche commercial area of the overall finance and investment industry. The Complainant has not demonstrated that it is anywhere near being a "household name" known generally around the world, such as a business like General Motors might have been able to claim and demonstrate. The Respondent is a domain name trader based in New Zealand, and whilst the Complainant says it has a global business, its nine offices are all many thousands of miles away. It is eminently plausible that the Respondent would not have been aware generally of the Complainant's existence at the relative time.

The Respondent's lack of knowledge of the Complainant was an issue put in play in the Response and was therefore a valid point for the Reply to deal with. In the Reply, the Complainant did not advance any specific claims or details of any alleged reputation through use in New Zealand (which might in any event have been objectionable under paragraph 9.2 of the DRS Policy as introducing impermissible additional evidence to support its existing claim of having unregistered rights and goodwill in the name that had already been made in the Complaint) but it did say that putting "general catalyst" into any search engine produces results about the Complainant and the same search of the UK Companies House database would produce only the Complainant's associated UK company. The Complainant says that any domain name trader assessing resale value would be expected to run such a search.

The Complainant made that comment when dealing with the Respondent's exhibit of a UK Companies House search for "catalyst" named companies which returned approximately 1,800 different entities. The Complainant referred to a UK Companies House database search as being "the Respondent's own chosen method" and said it

contradicted the assertion of no knowledge. However, the Respondent's exhibit of a UK Companies House search was put in as part of the Response to demonstrate the number of other "catalyst" named UK registered companies. It did not claim or suggest that it was a method used by the Respondent when assessing in advance the worth of drop-list domains that might be purchased.

It seems clear that if the Respondent had undertaken any search engine or UK Companies House searches of "general catalyst" before acquiring the Domain Name, then he would have been made aware of the Complainant's existence. Many domain name traders would undertake such searches when considering drop-list domains coming up for auction, but it may well depend upon things like the time available and the amount of the likely investment required to secure it. I have insufficient information about the circumstances leading up to the Respondent's acquisition of the Domain Name to support a rejection of the Respondent's unequivocal statement that the Complainant only came to his attention when the Complainant asserted this DRS claim.

But that is not necessarily an end to the issue of the Respondent's knowledge of the Complainant and its Rights. In appropriate circumstances, a registrant can be fixed with constructive Nelsonian knowledge if they turn a blind eye to the obvious.

Section 2.4 the Experts' Overview[1] considers the issue and states as follows:

"The body of expert decisions under the Policy is developing and certain principles are emerging. The section of the Appeal decision in DRS 04331 (verbatim.co.uk) dealing with 'knowledge' and 'intent' sets out one panel's views on that topic. However, new domainer practices (e.g. automated bulk transfers of domain names) are becoming commonplace and to the extent that the Verbatim decision suggests that for a finding of Abusive Registration, the Respondent must have had knowledge of the Complainant and/or its Rights at the relevant time, it is now thought by some Experts that that might overstate the position.

Where domain names are acquired as part of an automated or bulk transfer of a bundle of domain names, a Respondent will not escape the effect of the Verbatim decision on the basis that he was in fact unaware at the time of the transfer that one of the domain names was similar to a well-known trade mark. He will normally be taken to be aware (either actually or constructively) of the nature of his acquisition and the nature of the use that is being made of it."

The issue was also considered in the appeal decisions in *verawang.co.uk* (DRS 28035) and *7eleven.co.uk* (DRS 23040).

[1] The DRS Experts' Overview is published on the Nominet website to assist all participants or would-be participants in disputes under the DRS Policy by explaining commonly raised issues and how Experts, the members of Nominet's panel of independent adjudicators, have dealt with those issues to date and identifying any areas where Experts' views differ.

In *Verawang*, the domain name could only really be someone's personal name and whilst it was a common name, particularly in East Asia, there was only one that was famous, shown "on the evidence before the Panel to be associated overwhelmingly with a single source: the Complainant's VERA WANG fashion and lifestyle brand". The Appeal Panel expressly stated that it was fundamentally different to the position in *thephoenixgroup.co.uk* (DRS 00025812) because "Vera Wang is not a generic phrase, a combination of dictionary words, or a name used by numerous unconnected businesses".

In *7eleven,* the respondent admitted actual knowledge of the complainant when acquiring the domain name (although it was played down as being only "dimly aware") and the complainant had produced "extensive evidence of its Rights and its world-wide reputation in its 7 ELEVEN mark", such that the Appeal panel was able to conclude that the respondent must have "realised that the Complainant was the most obvious potential purchaser".

In this case:

- there is nothing remotely extensive or overwhelming about the Complainant's evidence in relation to the scope of its reputation in its trade mark and the meaning and association of the words "general catalyst";

- in particular, there is no evidence to suggest that it could have been considered to be a well-known trade mark in either New Zealand, where the Respondent is based, or in the United Kingdom, where the Domain Name is likely to have most application;

- in general terms, it is a generic descriptive phrase that is a combination of two common dictionary words;

- whilst there may only be evidence of the Complainant using it as a brand, the Domain Name could legitimately be used in any number of different scenarios outwith the Complainant's relatively niche area of business;

- the Respondent has put forward a credible unequivocal statement that he had no actual prior knowledge of the existence of the Complainant or its Rights; and

- the Respondent has put forward a credible reason as to why he was interested in the Domain Name when it came up on a pending drop-list, as it does fit as part of a pattern of the "many other similar domain names consisting of two descriptive words, with a 'general-' prefix or '-catalyst' suffix, dating back to 2011", that the Respondent already held and he "thought it a potentially attractive domain name to acquire, and offer for sale, because it reflected an obvious combination of descriptive terms likely

to be of interest to a significant number of businesses or organisations because it conveys impetus, momentum etc., and/or has uses in a scientific/technical context".

In my view, in the circumstances outlined above, the Respondent was not obliged to go looking for trouble by carrying out Google or other similar searches before deciding to acquire the Domain Name, and it would not be right for constructive Nelsonian knowledge of what those searches would have revealed to be imputed to the Respondent.

In the circumstances, the Complainant cannot rely upon paragraph 5.1.1.1 of the DRS Policy.

That conclusion is not altered by the parties' points about the price being sought for the Domain Name when it was subsequently put up for sale by the Respondent. The Complaint alleged that it had been advertised for sale as a "Premium Domain" and at a "premium" price, seeking offers in United States dollars. Nothing turns on its referring to United States dollars, as that is the currency used by the website on which the Respondent lists all his domains for sale. In the Response, the Respondent said that a minimum price of USD $2,500 could not be taken as an indication of an intention to target a company of "the alleged (but unproven) scale of the Complainant". But the exhibited screenshot of the sale listing filed with the Complaint makes no reference to the word "premium" anywhere and does not show any minimum offer price at all. It just invites viewers to "Make an Offer"; however, the exhibited screenshot of the sale listing filed with the Response shows that the listing had been changed at some point to add a minimum offer requirement of USD $2,500.

The issue of a specific stated minimum price and its potential significance was first brought into play by the Response and was, therefore, a point that could properly be dealt with in the Reply. The Complainant said that the introduction of the minimum USD $2,500 price was made after receipt of the Complaint and that did not show what the listing said at registration, which was "a matter of contemporaneous record", or any time in the following 32 months. But the Complainant did not say what the record actually showed, just that the Domain Name was put up for sale immediately after registration. The Complainant went on to contend that this meant the Respondent could not rely upon paragraph 8.4 of the Policy or section 3.2 of the Experts' Overview.

Paragraph 8.4 of the Policy states:

"Trading in domain names for profit, and holding a large portfolio of domain names, are of themselves lawful activities. The Expert will review each case on its merits."

Section 3.2 of the Experts' Overview states:

"The circumstances set out in paragraphs 5.1.1 all concern the registrant's motives at time of registration of the domain name. Can a subsequent intention (i.e. formed after registration of the domain name) to sell the domain name to the Complainant at a profit or to unfairly disrupt the Complainant's business constitute an abusive use within the meaning of subparagraph ii of the definition of Abusive Registration in paragraph 1 of the Policy?

Deciding to sell a domain name at a profit is unlikely of itself to constitute an abusive intent, unless this was the registrant's intent at time of registration of the domain name and the circumstances set out in paragraph 5.1.1 of the Policy apply. Trading in domain names is of itself unobjectionable (see paragraph 8.4 of the Policy).
…"

This makes it clear that even if the change to state a minimum price was made after receipt of the Complaint and was targeted at the Complainant to make a profit, it is not abusive conduct because it does not alter what the Respondent's original motive was at the time of registration, and making a profit from trading in domain names is not of itself objectionable.

Having found on the balance of the evidence before me that the Complainant only came to the Respondent's knowledge when the Complaint was sent to him, the Complainant's case therefore stands or falls on the second limb of the definition of Abusive Registration. That deals with the use subsequently made of the Domain Name, and whether or not that use took unfair advantage of or was unfairly detrimental to the Complainant's Rights.

The only use of the Domain Name made by the Respondent has been to list it for sale on a website dedicated to that purpose. Importantly, that website does not seem to carry any third-party advertising by which the Respondent could be earning click-per-view revenue, or, in particular, advertising relating to the Complainant or its competitors in the venture capital industry. But whilst trading in domain names for profit is not of itself objectionable, that is not an end to the matter.

Paragraph 5.1.2 of the DRS Policy states:

"Circumstances indicating that the Respondent is using or threatening to use the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant."

This is relied upon by the Complainant on the basis that, given that the Domain Name is identical to the Complainant's mark, any email or website use by the Respondent would inherently cause such confusion.

The Respondent was alive to the issue of "initial interest confusion" and in the Response referred to the appeal panel decision in *flora.co.uk* (DRS 22793/4) in support of a contention that it does not apply in this case. "Initial interest confusion" is when, due to the similar or identical nature of the domain name in issue to that of the complainant's name or mark, the speculative visitor to the website to which it resolves will likely be visiting it in the hope and expectation that the website is one "operated or authorised by, or otherwise connected with the Complainant". Section 3.3 of the Experts' Overview discusses the issue as follows:

"Commonly, Internet users will visit web sites either by way of search engines or by guessing the relevant URL. If the domain name in dispute is identical to the name of the Complainant and that name cannot sensibly refer to anyone else, there is bound to be a severe risk that a search engine, which is being asked for the Complainant, will produce high up on its list the URL for the web site connected to the domain name in issue. Similarly, there is bound to be a severe risk that an Internet user guessing the URL for the Complainant's web site will use the domain name for that purpose. In such cases, the speculative visitor to the registrant's web site will be visiting it in the hope and expectation that the web site is a web site 'operated or authorised by, or otherwise connected with the Complainant'. This is what is known as 'initial interest confusion' and the overwhelming majority of Experts view it as a possible basis for a finding of Abusive Registration, the vice being that even if it is immediately apparent to the visitor to the web site that the site is not in any way connected with the Complainant, the visitor has been deceived. Having drawn the visitor to the site, the visitor may well be faced with an unauthorised tribute or criticism site (usually the latter) devoted to the Complainant; or a commercial web site, which may or may not advertise goods or services similar to those produced by the Complainant. Either way, the visitor will have been sucked in/deceived by the domain name.

….

Findings of Abusive Registration in this context are most likely to be made where the domain name in issue is identical to the name or mark of the Complainant and without any adornment (other than the generic domain suffix). See for example DRS 00658 (chivasbrothers.co.uk).

….

Another potential for confusion (frequently overlooked) is the use of a domain name for the purposes of email. There are many examples of registrants of domain names receiving email traffic intended for the Complainant. See for example Global Projects Management Ltd v Citigroup Inc. (citigroup.co.uk) [2005] EWHC 2663 Ch., and DRS 00114 (penquin.co.uk). Whether evidence of this occurring will lead to a finding

of Abusive Registration will, of course, depend to a large extent on the nature of the domain name and the circumstances of its use. If, at the third level, it is a name which is lawfully in use by a number of people (e.g. a surname), the resultant confusion may just be a hazard which the Complainant will have to accept."

As regards the Complainant's reference to potential email use causing confusion, one of the points expressly made by the Complainant in the Complaint is that the Domain Name has not been configured for email use. And there has been no evidence of any threat from the Respondent to do so, whether express or implied.

As regards the risk of visitors who are looking for the Complainant finding the Saw.com "for sale" website by mistake, the Appeal Panel in the *flora.co.uk* (DRS 22793/4) DRS case cited by the Respondent commented as follows:

"if someone really is looking for the Complainant's website about Flora margarine, and finds an inactive website where they first look, they would no doubt do a quick Internet search to check if they were in the right place and would very easily find that they were not; thus, the adverse inference would never arise (or would only do so fleetingly). Secondly, this is not a case where such 'initial interest confusion' is inevitable, given that – as explained above – the term FLORA has a descriptive meaning (and is also associated with a luxury perfume brand). And thirdly, the Respondent has done nothing to encourage or exacerbate any such confusion but has merely registered the Domain Names and briefly used one of them for a business. Accordingly, the Panel finds that paragraph 5.1.2 is not satisfied."

Each case has to be considered and decided upon its own circumstances. In this case, the Domain Name is identical to the Complainant's mark without any adornment, and whilst there are other descriptive uses for the term "general catalyst" they may not be as commonly used generally as in the case of "flora". In addition, there doesn't appear to be any third-party commercial use of "general catalyst" as a corporate or business trading name, unlike in the flora case.

But the only use of the Domain Name has been to resolve to the third-party Saw.com website advertising it for sale. The speculative visitor is not met with a criticism site devoted to the Complainant or a commercial web site with advertisements for third-party goods or services, or in particular, services similar to or competing with those of the Complainant. It is just a simple single webpage offering the Domain Name for sale. I am also mindful of the fact that the Complainant's field of business is the relatively niche area of venture capital for businesses and at what appears to be quite a high value, given that its website refers to assets under management of USD $43 billion invested in over 900 companies. Anyone looking specifically for the Complainant is therefore likely to be a reasonably sophisticated business consumer. If they mistakenly visit the website to which the Domain Name resolves and see a basic one-page website advertising a domain name for sale, they are likely to realise straight away that they are not where they want to be and be able to rectify it

immediately, without any material negative inference or other damage being caused to the Complainant or its business.

There is no evidence of any other use of the Domain Name having been undertaken or threatened by the Respondent.

I have found the issue of the relevance and likelihood of material initial interest confusion in the particular circumstances of this case to be quite finely balanced. But I have concluded that, on balance, it is not likely and accordingly paragraph 5.1.2 of the DRS Policy does not assist the Complainant.

There is nothing in the Complainant's additional contention that as Nominet's validation process was unable to match the Respondent's name and/or address as registrant of the Domain Name against a third-party source, it meant the Respondent had given false contact details, as referred to in paragraph 5.1.4 of the DRS Policy. It does not.

It is for the Complainant to prove its case on the balance of probabilities. For the reasons outlined above, I find that the Complainant has proved, on the balance of probabilities, that it has Rights in respect of a name or mark which is identical to the Domain Name, but that it has failed to prove, on the balance of probabilities, that the Domain Name, in the hands of the Respondent, is an Abusive Registration.

Reverse Domain Name Hijacking (RDNH)

RDNH means using the DRS in bad faith in an attempt to deprive the Respondent of the Domain Name.

The Respondent has asked for a finding that the Complainant's claim amounted to RDNH. He relies on several previous DRS cases, most of them involving himself, and makes three main contentions i) the Complainant made no serious effort to establish abusive registration and provided minimal supporting evidence; ii) it raised spurious arguments in its Complaint; and iii) the Complaint was filed principally because the Complainant's monitoring service flagged the Domain Name as "an active brand-impersonation risk", but without any evidence of abusive registration.

Other than a reference to its own website, the Complainant did not provide any documentary evidence or many details to support its claim to unregistered Rights through use and reputation. But such Rights were in addition to its registered trade mark and I have found that, on balance, the details given and information on the Complainant's website was sufficient to show such additional unregistered Rights. In addition, the Domain Name is identical to the Complainant's name and mark in which those Rights exist and there is no evidence of any other business using the

same name as part of its corporate or trading identity in relation to the same or any other industry.

Given the identical nature of the Domain Name, it is inevitable that the Complainant's brand monitoring service would flag it as a potential impersonation "risk", as it is merely assessing apparent risk based on the name and not considering any actual impersonation. It would not have been doing its job properly if it had not flagged the existence of the Domain Name as a potential risk.

The Complainant came close to winning its case relying upon paragraph 5.1.2 of the DRS Policy, and in particular the risk of material initial interest confusion. The fact that the Complainant also relied upon a "no-hoper" point based on Nominet's inability to match the registrant's name and/or address against a third-party source does not turn the whole Complaint into one that has been filed in bad faith.

7. Decision

7.1. For the foregoing reasons:

7.1.1. the Expert orders that no action be taken in respect of the Domain Name <generalcatalyst.co.uk>; and

7.1.2. the Expert does not find that the Complainant was guilty of Reverse Domain Name Hijacking.

Chris Tulley
Expert
Date: 19 November 2026