

## **ADMINISTRATIVE PANEL DECISION**

Intergraph Corporation v. key manager  
Case No. D2025-2568

### **1. The Parties**

The Complainant is Intergraph Corporation, United States of America (“United States” or “US”), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is key manager, United States.

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

The disputed domain name <intergraphcorp.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2025. On July 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 1, 2025, 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 (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 4, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on July 4, 2025.

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 the Respondent of the Complaint, and the proceedings commenced on July 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 30, 2025.

The Center appointed Lynda J. Zadra-Symes as the sole panelist in this matter on August 7, 2025. The Panel finds that it was properly constituted. 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**

The Complainant is a fully owned subsidiary of Hexagon AB and is a global provider of enterprise engineering and geospatial software, including for construction and engineering.

Hexagon AB is a global technology leader that combines sensor, software and autonomous technologies. In 2024, Hexagon AB had EUR 5.4 billion in revenue, operated in more than 50 countries, and employed 24,800 people. Hexagon AB announced its acquisition of the Complainant on July 7, 2010, and completed the acquisition on October 28, 2010.

The Complainant is the owner of at least 200 trademark registrations in at least 84 jurisdictions for marks that consist of or contain the term “Intergraph,” the oldest of which was registered November 5, 1980. The Complainant’s registrations include the following, registered for use in connection with a variety of services related to graphic design, computer systems, architecture, construction, and engineering:

Ireland Registration No. 104,544 for INTERGRAPH, registered November 5, 1980;

US Registration No. 1,267,739 for INTERGRAPH, registered February 21, 1984;

US Registration No. 3,388,972 for INTERGRAPH, registered February 26, 2008; and

European Union Registration No. 3,489,192 for INTERGRAPH, registered June 2, 2005.

The Complainant also owns hundreds of domain names that consist of or include “Intergraph” or variations thereof, including <intergraph.com>, which was created on August 22, 1994. The Complainant redirects the domain name <intergraph.com> to Hexagon AB’s website at “www.hexagon.com”.

The disputed domain name was registered on June 23, 2024, and resolves to a website that appears to be associated with the Complainant, describing itself as “Intergraph Corp. ... one of the largest construction and engineering firms in North America.” The website also displays the Complainant’s physical address in the US on the “Contact us” page.

The Respondent has configured MX records for the disputed domain name, enabling the Respondent to send and receive email with addresses that use the disputed domain name.

#### **5. Parties’ Contentions**

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

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends as follows:

The disputed domain name incorporates the Complainant’s mark in its entirety and is confusingly similar to the Complainant’s trademark. The addition of “corp” (an abbreviation for “corporation”) adds no distinguishing feature to the disputed domain name. The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has used its INTERGRAPH mark extensively for decades to identify the Complainant and its services. The Complainant has not authorized the Respondent to use the disputed domain name and there is no evidence of the Respondent’s use in connection with a bona fide offering of goods or services.

The disputed domain name was registered and is being used in bad faith. It is obvious that the Respondent had knowledge of the Complainant and its INTERGRAPH trademark at the time it registered the disputed domain name, and the Respondent is using it to illegally impersonate the Complainant.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, to succeed, a complainant must establish each of the following elements:

- (i) The disputed domain name is identical or confusingly similar to the trademark or service mark in which complainant has rights;
- (ii) The respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the Complainant's INTERGRAPH mark is identically reproduced within the disputed domain name. The addition of "corp" (an abbreviation for "corporation") in the disputed domain name does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.8. Therefore, the disputed domain name is confusingly similar to the Complainant's trademark.

The Panel finds the first element of the Policy has been established.

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

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a *prima facie* case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's *prima facie* showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Complainant has not authorized the Respondent to use the Complainant's mark or register it in a domain name. The Respondent is not using the disputed domain name in connection with the bona fide offering of goods or services.

Panels have held that the use of a domain name for illegal activity, such as impersonation of the complainant, as shown here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

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

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The disputed domain name resolves a website describing itself as "Intergraph Corp. ... one of the largest construction and engineering firms in North America." The website also displays the Complainant's physical address in the US on the "Contact us" page. This indicates that the Respondent knew or should have known the Complainant, and attempted to create a likelihood of confusion, which constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegal activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. In the present case, the Panel notes that the Respondent is using the disputed domain name in connection with a website that fraudulently impersonates the Complainant. The record shows that the Respondent has registered the disputed domain name for the purpose of impersonating the Complainant on a fraudulent website and potentially to send emails impersonating the Complainant, probably to conduct illegal "phishing" to obtain personal or financial information from the Complainant's customers.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element 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 <intergraphcorp.com> be transferred to the Complainant.

/Lynda J. Zadra-Symes/  
**Lynda J. Zadra-Symes**  
Sole Panelist  
Date: August 21, 2025