

ADMINISTRATIVE PANEL DECISION

Intandem Capital Partners, LLC v. Ewais Sameh
Case No. D2025-3004

1. The Parties

The Complainant is Intandem Capital Partners, LLC, United States of America (“United States”), represented by Parsons Behle & Latimer, United States.

The Respondent is Ewais Sameh, Canada.

2. The Domain Name and Registrar

The disputed domain name <Intandemcapital.com> (the “Domain Name”) is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 28, 2025. On July 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 29, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Information not publicly available) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 29, 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 amended Complaint on August 2, 2025.

The Center verified that the Complaint together with the amended 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 August 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 26, 2025.

The Center appointed Ian Lowe as the sole panelist in this matter on September 2, 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 InTandem Capital Partners, LLC, a Delaware limited liability company and private equity firm that invests in and helps accelerate the growth of small to mid-sized companies in healthcare services sectors. The Complainant has operated since 2012 under the name “InTandem Capital Partners”.

The Complainant registered the domain name <intandemcapital.com> in December 2011 and has used it continuously since 2012 in connection with its capital investment services, management of private equity funds, and related services provide under the brand INTANDEM CAPITAL PARTNERS. In June 2024, the Complainant closed its Fund III with USD 715 million in total capital commitments.

The Complainant filed United States Trademark Application Serial No. 99023528 for INTANDEM CAPITAL PARTNERS on January 30, 2025, claiming first use in commerce since January 2012. The application has been published for opposition.

The Domain Name was registered on July 8, 2025. The Domain Name resolves to a parking page with pay-per-click (“PPC”) advertisements.

5. Parties' Contentions

A. Complainant

The Complainant contends that the Domain Name is confusingly similar to its INTANDEM CAPITAL PARTNERS trademark, that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith.

B. Respondent

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

6. Discussion and Findings

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the 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.

Although the Complainant does not rely on any registered trademarks, it has adduced evidence that it has carried on business under the name INTANDEM CAPITAL PARTNERS (the “Mark”) since January 2012 and

accordingly claims common law trademark rights in the Mark through its continuous use of the Mark since that date. In addition, it relies on the approval of its pending United States trademark application, filed six months before the Domain Name was registered, having been approved for publication, demonstrating that the Mark has been found distinctive and registrable.

The Panel is satisfied on balance that the Complainant has established common law trademark rights in the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

Ignoring the generic Top-Level Domain “.com”, the Domain Name incorporates the dominant portion of the Mark, namely INTANDEM CAPITAL, save for the substitution of the letter “i” for the letter “I”. “In cases [...] where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.” [WIPO Overview 3.0](#), section 1.7. The Panel further notes that the substitution of the “i” for the lowercase “I” at the beginning of “intandem” creates visual similarity that is designed to confuse Internet users. As panels have consistently recognized, “a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element”. [WIPO Overview 3.0](#), section 1.9.

Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and 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. Accordingly, 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.

The Complainant has made out a strong prima facie case that the Respondent lacks rights or legitimate interests in the Domain Name. The Respondent is not authorized by the Complainant to use its trademark, is not commonly known by the Domain Name, and there is no evidence of any trademark or service mark rights in “Intandem” or related terms.

The Domain Name is being used for a parking page with PPC advertisements, which cannot constitute a bona fide offering of goods or services. In the Panel’s view, the Domain Name is a typical example of typosquatting, whereby the Domain Name was registered with a minor variation of the dominant portion of the Complainant’s brand name “Intandem Capital” and the Complainant’s own domain name <intandemcapital.com>, with a view to taking advantage of typographical errors by Internet users. Such a registration cannot possibly give rise to rights or legitimate interests on the part of the Respondent in this case.

The Respondent has chosen not to respond to the Complaint or to provide any evidence of rights or legitimate interests in the Domain Name.

In the circumstances, the Panel finds that the Respondent does not have any rights or legitimate interests in respect of the Domain Name.

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.

In light of the typosquatting nature of the Domain Name, comprising as it does a deliberate misspelling of the dominant portion of the Complainant's trademark and domain name, the Panel is in no doubt that the Respondent had the Complainant and its rights in the Mark in mind when it registered the Domain Name.

The Domain Name was registered in July 2025, long after the Complainant began using its trademark (since January 2012) and after the Complainant's trademark application was filed (January 2025). The timing and nature of the registration, combined with the obvious targeting of the Complainant's established mark and domain name, demonstrates bad faith registration.

The use of the Domain Name for a parking page displaying PPC advertisements constitutes bad faith use. The Respondent registered a domain name that is confusingly similar to the Complainant's trademark with the intent to attract Internet users by creating a likelihood of confusion as to source of its website, likely for commercial gain through the PPC advertisements. This falls squarely within paragraph 4(b)(iv) of the Policy.

Furthermore, the Panel considers that typosquatting amounts to paradigm bad faith registration and use for the purposes of the Policy. The Panel cannot conceive of any legitimate use to which the Respondent could put the Domain Name, given its obvious derivation from the Complainant's trademark and domain name. The only plausible purpose for registering such a domain is to take unfair advantage of the Complainant's rights for commercial gain.

Accordingly, the Panel finds that the Domain Name has been registered and is being used in bad faith, and the third element of the Policy has been established.

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 Domain Name <Intandemcapital.com> be transferred to the Complainant.

/Ian Lowe/

Ian Lowe

Sole Panelist

Date: September 11, 2025