

ADMINISTRATIVE PANEL DECISION

Stichting BDO v. Craig Senger
Case No. D2025-3484

1. The Parties

The Complainant is Stichting BDO, Netherlands (Kingdom of the), represented by McDermott Will & Emery LLP, United States of America (“United States”).

The Respondent is Craig Senger, United States.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 28, 2025. On August 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Unidentified Registrant of newBDO.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 1, 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 September 5, 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 September 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 30, 2025.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on October 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 the governing entity of the global BDO network of independent accounting and professional services firms operating under the BDO trademark, a brand in use since 1963. The network comprises more than 115,000 professionals in over 1,750 offices across 164 countries worldwide, generating approximately USD 15 billion in combined global revenue, including over USD 2.8 billion in the United States alone. It is consistently ranked among the top five global accounting and professional services organizations and has received multiple distinctions from Vault.com, Seramount, and other institutions for workplace excellence and diversity.

The Complainant owns numerous trademark registrations for the mark BDO around the world, including:

- United States Trademark Registration No. 2,699,812 registered on March 25, 2003;
- United States Trademark Registration No. 4,748,152 registered on June 2, 2015; and
- United States Trademark Registration No. 4,854,142 registered on November 17, 2015.

The Complainant also owns and operates several domain names incorporating the BDO mark, including <bdo.com>, which it uses as the main portal for its international network.

The disputed domain name <newbdo.com> was registered on August 15, 2025. According to the evidence submitted by the Complainant, at the time of filing the Complaint, the disputed domain name resolved to an inactive or error page (“this site can’t be reached”).

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 that:

1. The disputed domain name is confusingly similar to the Complainant’s BDO trademark.
2. The disputed domain name reproduces the Complainant’s BDO mark in its entirety with the mere addition of the term “new”, which does not avoid confusing similarity.
3. The Respondent has no rights or legitimate interests in the disputed domain name.
4. The Complainant has not authorized the Respondent to use its BDO trademark or to register the disputed domain name.
5. The Respondent is not commonly known by the disputed domain name and has made no use of it in connection with a bona fide offering of goods or services.
6. The disputed domain name was registered and is being used in bad faith.
7. The Complainant asserts that the Respondent registered the disputed domain name with knowledge of the Complainant’s prior rights and with the intention of misleading Internet users by creating an association with the Complainant.
8. The disputed domain name resolves to an inactive website.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must prove each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the 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 the BDO trademark. The disputed domain name incorporates the Complainant's mark in its entirety, together with the term "new" and the ".com" generic Top-Level Domain ("gTLD"), which is to be disregarded under the Policy.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7

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 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 the present case, the Panel notes that the Respondent registered the disputed domain name incorporating the Complainant's well-known BDO trademark in its entirety with the addition of the term "new". This composition shows that the Respondent was aware of the Complainant's mark and intended to create an association with it.

The disputed domain name has not been used for any legitimate purpose and currently resolves to an inactive page. In the circumstances of this case, the passive holding of the disputed domain name constitutes bad faith registration and use.

In similar circumstances, the Panel in *LEGO Juris A/S v. M. Moench*, WIPO Case No. [D2011-0913](#), found that the addition of the term "new" to a well-known trademark did not avoid a finding of confusing similarity and in fact reinforced the false impression of affiliation or renewal, supporting a finding of bad faith registration and use.

The Panel finds that 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 disputed domain name <newbdo.com> be transferred to the Complainant.

/Gonçalo M. C. Da Cunha Ferreira/

Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: October 10, 2025