

ADMINISTRATIVE PANEL DECISION

IMC B.V. v. Ming Yuan Xi, li sal
Case No. D2025-3502

1. The Parties

The Complainant is IMC B.V., the Netherlands (Kingdom of the), represented by DLA Piper US LLP, United States of America (“US”).

The Respondents are Ming Yuan Xi, China, and li sal, Thailand.

2. The Domain Names and Registrars

The disputed domain names <imcgu.com> (the “first disputed domain name”), <imcud.com> (the “second disputed domain name”), and <imczj.com> (the “third disputed domain name”) are registered with Gname.com Pte. Ltd.

The disputed domain name <Imckte.com> (the “fourth disputed domain name”) is registered with GoDaddy.com, LLC (Gname.com Pte. Ltd and GoDaddy.com, LLC are collectively referred to as the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 28, 2025. On August 29, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 31 and September 2, 2025, the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (UNIDENTIFIED REGISTRANTS, and DOMAINS BY PROXY, LLC) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 3, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on September 4, 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 Respondents of the Complaint, and the proceedings commenced on September 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on September 30, 2025.

The Center appointed Mehmet Polat Kalafatoğlu as the sole panelist in this matter on October 6, 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, IMC B.V., founded in 1989, is a corporation with its registered address in Amsterdam, Netherlands (Kingdom of the). The Complainant notes that, through its trading affiliates, it is a leading global market maker, which buys and sells securities in all major asset classes on multiple trading venues worldwide.

The record shows that the Complainant owns several IMC trademark registrations in different jurisdictions worldwide, such as the BENELUX trademark registration No. 816010, registered on April 5, 2007, in class 36; and the US trademark registration No. 3643617, registered on June 23, 3009, in class 36.

The Complainant advertises its services and the IMC trademarks online through its website located at <imc.com>. The Complainant also notes that its services under the IMC trademarks are advertised and promoted extensively, including, but not limited to, on the Internet and through various social media platforms.

The first disputed domain name was registered on April 10, 2025. The second disputed domain name was registered on October 8, 2020. The third disputed domain name was registered on March 24, 2017. The fourth disputed domain name was registered on April 11, 2025. At the time of filing the Complaint and this Decision, all four disputed domain names resolve to the same website, displaying trading rates for various cryptocurrencies, appearing to be a trading platform for cryptocurrencies, and displaying the Complainant’s logo in stylized form.

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 names. Notably, the Complainant contends that for more than thirty-five years, it has used the trademarks and name IMC, and variations thereof, in connection with various financial and investment services in the US and around the world. The Complainant asserts that the IMC trademarks are distinctive and well-known, and they have enjoyed such distinctiveness and notoriety for a long time prior to the date the Respondents registered the disputed domain names. The Complainant’s contentions regarding the three elements under the Policy can be summarized as follows.

First, the Complainant contends that the disputed domain names are confusingly similar to the IMC trademarks.

Second, the Complainant contends that the Respondents have no rights or legitimate interests in respect of the disputed domain names. The Complainant asserts, inter alia, that the Respondents have no legitimate interest in the disputed domain names in view of the Complainant's prior rights in the IMC trademarks; upon information and belief, the Respondents were familiar with the well-known IMC trademarks at the time of registration of the disputed domain names, and the Respondents have made no bona fide offering of goods or services in connection with the disputed domain names. The Complainant also indicates that all four disputed domain names link to the same website, displaying trading rates for cryptocurrencies, and the said website was created to appear as though it was the Complainant's official website. The Complainant further notes that the Respondents are not commonly known by the disputed domain names, and the Complainant has not licensed or otherwise permitted the Respondents to use the IMC trademarks, or to apply for or use any domain name incorporating the IMC trademarks.

Third, the Complainant contends that the disputed domain names were registered and are being used in bad faith. In this regard, the Complainant claims that the Respondents must have been aware of the IMC trademarks well prior to registering the disputed domain names. The Complainant also notes that it appears the Respondents did not register the disputed domain names to actually offer services but, instead, registered and are using the disputed domain names for the bad faith purpose of intentionally attempting to attract Internet users to their website by creating a likelihood of confusion with the IMC trademarks.

B. Respondents

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

6. Discussion and Findings

6.1. Procedural Issue: the Complainant's Consolidation Request

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the disputed domain names are under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules. The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel particularly notes the following points. First, the compositions of the disputed domain names are nearly identical: the first three disputed domain names incorporate the IMC trademark with two additional letters; and the fourth disputed domain name incorporates a slightly modified version of the IMC trademark (the letter "i" is replaced by the letter "l") with three additional letters. Second, and most importantly, all disputed domain names resolve to the same website. The Panel also notes that the Respondents have not objected to the consolidation request. Therefore, the Panel finds that the Complainant has established more likely than not that the disputed domain names are subject to common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

6.2. Substantial Issues

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 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 that all four disputed domain names are confusingly similar to the IMC trademark. The entirety of the IMC trademark is reproduced within the first three disputed domain names. Accordingly, the first three disputed domain names are confusingly similar to the mark for the purposes of the Policy. Regarding the fourth disputed domain name, the Panel finds that the first letter “i” of the IMC trademark has been replaced with the letter “l” and a lowercase “l” visually resembles an uppercase “i”. Therefore, the IMC trademark is recognizable within the fourth disputed domain name. [WIPO Overview 3.0](#), section 1.7. In addition, the Panel considers that such misspelling of the IMC trademark indicates a case of typosquatting. [WIPO Overview 3.0](#), section 1.9.

The Panel also finds that the addition of random and meaningless combinations of letters (here, “gu”, “ud”, “zj”, and “kte”) does not prevent a finding of confusing similarity between the disputed domain names and the IMC trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 names. In this regard, the Complainant asserts that it has not licensed or otherwise permitted the Respondent to use its IMC trademark, or to apply for or use any domain name incorporating the IMC trademark. Nothing in the record suggests that the Respondent is commonly known by the disputed domain names. The disputed domain names, which are confusingly similar to the IMC trademark, resolve to the same website displaying trading rates for various cryptocurrencies and appearing to be a trading platform for cryptocurrencies. In particular, the website clearly displays a copy of the Complainant’s IMC logo in stylized form. Considering also the various financial and investment services offered by the Complainant, the Panel finds that this website can easily create the false impression of an association, affiliation, or connection with the Complainant and mislead Internet users. Accordingly, the Panel concludes that the disputed domain names have been used

to impersonate the Complainant or to suggest sponsorship or endorsement by the Complainant. Such use cannot be considered as a bona fide offering of goods or services nor a fair use of the disputed domain names under the Policy. Additionally, typosquatting is further evidence of a lack of rights or legitimate interests in the fourth 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 names such as those enumerated in the Policy or otherwise.

Based on the available record, 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.

In the present case, the Panel finds that the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy. The Panel considers that the IMC trademark predates the registration of the disputed domain names; the disputed domain names are confusingly similar to the IMC trademark; and the disputed domain names resolve to the same website displaying a copy of IMC's logo in stylized form. Accordingly, the Panel finds it very likely that the Respondent targeted the IMC trademark when it registered the disputed domain names in order to take unfair advantage of the said trademark. Considering the composition and use of the disputed domain names described above, as well as the Panel's conclusions under the second element, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the IMC trademark as to the source, sponsorship, affiliation, or endorsement of its website.

Lastly, the Panel considers the Respondent's failure to submit a response as a further element supporting the finding of bad faith.

Based on the available record, 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 names <imcgu.com>, <imcud.com>, <imczj.com> and <Imckte.com> be transferred to the Complainant.

/Mehmet Polat Kalafatoglu/

Mehmet Polat Kalafatoglu

Sole Panelist

Date: October 20, 2025