

## ADMINISTRATIVE PANEL DECISION

Amdocs Development Ltd. and Amdocs Software Systems Ltd. v. Name Redacted

Case No. D2023-0706

### 1. The Parties

The Complainants are Amdocs Development Ltd. (the “First Complainant”), Cyprus, and Amdocs Software Systems Ltd. (the “Second Complainant”), Ireland (jointly the “Complainants”), represented by Liad Whatstein & Co., Israel.

The Respondent is Name Redacted.<sup>1</sup>

### 2. The Domain Names and Registrar

The disputed domain names, <amdocs.center>, <amdocs.enterprises>, and <amdocs.solutions> (the “Domain Names”), are registered with NameSilo, LLC (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 15, 2023. On February 16 and 17, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On February 16 and 17, 2023, the Registrar transmitted by email to the Center its verification responses disclosing registrant and contact information for the Domain Names which differed from the named Respondent (PrivacyGuardian.org llc) and contact information in the Complaint. The Center sent an email communication to the Complainants on February 27, 2023, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint on February 27, 2023.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal

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<sup>1</sup> The Respondent appears to have used the name of a third party when registering the Domain Names. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the Domain Names, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 March 2, 2023. In accordance with the Rules, paragraph 5, the due date for Response was March 22, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 24, 2023.

The Center appointed Jeremy Speres as the sole panelist in this matter on March 29, 2023. 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 Complainants are part of the Amdocs group of companies, a series of related multinational companies that develop and market software solutions in various fields. The Complainants employ approximately 25,000 employees and operate in over 85 countries. In the 2019 fiscal year, the Amdocs group had revenue of USD 4.1 billion.

The Complainants own numerous registrations in numerous jurisdictions for their AMDOCS mark, including United States of America trade mark registration no. 2278885 AMDOCS in class 9 with registration date of September 21, 1999.

The Domain Names were all registered on February 9, 2023, and the Complainants assert that the Domain Names do not resolve to active websites. Further, according to the evidence provided by the Complainants, the Domain Name, <amdocs.center>, was used for Short Message Service (“SMS”) based phishing.

#### **5. Parties’ Contentions**

##### **A. Complainants**

The Complainants contend that the Domain Names are confusingly similar to their AMDOCS mark, that the Respondent has no rights or legitimate interests in the Domain Names, and the Domain Names were registered and have been used in bad faith given the repute of the Complainants’ mark and the use of at least one of them for SMS based phishing.

##### **B. Respondent**

The Respondent did not reply to the Complainants’ contentions.

#### **6. Discussion and Findings**

##### **A. Preliminary Issue – Consolidation of Multiple Complainants**

The Panel notes that the Complainants are two entities within a group of related companies that have a specific common grievance: the Complainants both trade under the AMDOCS mark, the Domain Names target both Complainants and take unfair advantage of their trade marks. It would be equitable and procedurally efficient to allow consolidation in these circumstances (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)) at section 4.11.1).

## **B. Identical or Confusingly Similar**

The Domain Names are plainly identical to the Complainants' registered AMDOCS mark. The Complainants have satisfied the requirements of paragraph 4(a)(i) of the Policy.

## **C. Rights or Legitimate Interests**

The Complainants' mark was registered and used extensively long prior to registration of the Domain Names. The Domain Names are identical to the Complainants' mark, the Complainants have certified that the Domain Names are unauthorised by them, the Respondent did not file a Response, and there is no evidence that any of the circumstances set out in paragraph 4(c) of the Policy pertain.

Given what is stated in relation to bad faith below, it is more likely than not that the Domain Names have been used for phishing. Panels have categorically held that use of a domain name for illegal activity (e.g., phishing or other types of fraud) can never confer rights or legitimate interests ([WIPO Overview 3.0](#) at section 2.13.1). The Complainants have satisfied paragraph 4(a)(ii) of the Policy by virtue of having made out an unrebutted *prima facie* case ([WIPO Overview 3.0](#) at section 2.1).

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

Upon being notified of the Complaint, the Registrar wrote to the Center indicating that the Domain Names would be suspended upon request given that the account holder for the Domain Names had engaged in phishing previously. The Panel has independently established that the Domain Name <amdocs.center> has been flagged for phishing by five independent security vendors, and the remaining two Domain Names have each been flagged by one. Based on the details provided in the WhoIs, the Respondent has provided obviously false identifying information, mimicking those of a large well-known corporation and its well-known founder. The Complainants presented evidence of the Domain Name <amdocs.center> having been used in relation to an SMS campaign involving SMS sent to the Complainants' employees, ostensibly by the Complainants, urging them to follow a link hosted at that Domain Name in order to update their employment status. Taken together this all clearly indicates that the Respondent had bad faith intentions for the Domain Names upon registration, and has in fact used the Domain Names for phishing.

The fact that the Domain Names do not resolve to active websites does not prevent a finding of bad faith under the doctrine of passive holding; all the factors that panels typically consider under that doctrine favour the Complainants ([WIPO Overview 3.0](#) at section 3.3). The Panel draws an adverse inference from the Respondent's failure to take part in the present proceeding where an explanation is certainly called for ([WIPO Overview 3.0](#) at section 4.3).

The Complainants have satisfied paragraph 4(a)(iii) 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 Domain Names, <amdocs.center>, <amdocs.enterprises>, and <amdocs.solutions>, be transferred to the Complainants.

*/Jeremy Speres/*

**Jeremy Speres**

Sole Panelist

Date: April 11, 2023