

ADMINISTRATIVE PANEL DECISION

Accenture Global Services Limited v. Name Redacted

Case No. D2023-0723

1. The Parties

The Complainant is Accenture Global Services Limited, Ireland, represented by McDermott Will & Emery LLP, United States of America (“United States”).

The Respondent is Name Redacted.¹

2. The Domain Names and Registrar

The disputed domain names <mysso-accenture.com>, <mysso-accenture.net> and <sso-accenture.net> 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 17, 2023. On February 17, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 17, 2023, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names, which differed from the named Respondent (Redacted for Privacy, Privacy Guardian.org llc) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 23, 2023 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 February 28, 2023.

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”).

¹ The Panel has determined that the above-mentioned disputed domain names were most likely registered by a third party without the involvement of the above-mentioned Respondent (*i.e.*, involves potential identity theft), the Panel has redacted the Respondent’s name from this Decision and included an Annex 1 directing the Registrar to transfer the disputed domain names nonetheless. 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Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case.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](#).

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 April 3, 2023.

The Center appointed Selma Ünlü as the sole panelist in this matter on April 20, 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 Complainant Accenture Global Services Limited is a company providing various services, including strategy and management consulting and business process services, which comprises various aspects of business operations such as data and analytics, the customer experience, digital engineering and manufacturing, and infrastructure, as well as technology services and outsourcing services. The Complainant operates internationally with around 740,000 employees across many offices in more than 200 cities in 50 countries.

The Complainant owns several trademarks in various countries containing the term "Accenture", *inter alia*, as follows:

- United States device mark ACCENTURE no. 2,665,373 registered since December 24, 2002;
- United States word mark ACCENTURE no. 3,091,811 registered since May 16, 2006;
- India word mark ACCENTURE no. 1240312 registered since September 29, 2003.

The Complainant is also the owner of the domain name including the trademark ACCENTURE, <accenture.com> registered in 2000.

The disputed domain names <mysso-accenture.com>, <sso-accenture.net> and <mysso-accenture.net> were all registered on February 8, 2023.

The disputed domain names <sso-accenture.net> and <mysso-accenture.net> redirect to a parking page. The disputed domain name <mysso-accenture.com> redirects to a webpage where it is stated that "Deceptive site ahead - Attackers on mysso-accenture.com may trick you into doing something dangerous like installing software or revealing your personal information (for example, passwords, phone numbers, or credit cards).".

5. Parties' Contentions

A. Complainant

The Complainant states that it is the owner of more than 1,000 registrations in more than 140 countries for ACCENTURE trademarks, which are used internationally since 2001, and the business with these trademarks was well established at the time of the registration of the disputed domain names. The disputed domain names are confusingly similar to the Complainant's well-known trademarks, because they incorporate the Complainant's ACCENTURE trademark in its entirety. The Complainant also states that the addition of the term "sso" is intended to refer to the common acronym for "Single Sign-On", which is an authentication method that enables users to securely authenticate with multiple applications and websites by using just one set of credentials. The Complainant believes that the addition of the term "my" before "sso" in two of the three disputed domain names is intended to refer to personalized login methods or a personalized portal for the Complainant's employees. Therefore, the addition of such descriptive term or its acronym is not enough to eliminate the confusing similarity to the distinctive and well-known ACCENTURE trademark. It

is also noted that the addition of the generic Top-Level Domains (“gTLDs”) “.com” and “.net” are not significant in determining whether the disputed domain names are identical or confusingly similar to the trademarks of the Complainant.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names, since it has no trademark or any right over the ACCENTURE signs and that the Complainant did not authorize the Respondent to use its trademarks, or give any license to the Respondent. Additionally, the Complainant claims that the Respondent is not using the disputed domain names for any valid purpose. Instead, the disputed domain name <mysso-accenture.com> results in a security warning about being a deceptive site ahead. In addition, the disputed domain names <sso-accenture.net> and <mysso-accenture.net> result in parked pages. It is also stated by the Complainant that information obtained from its legal department suggests that at least the disputed domain name <mysso-accenture.com> is actively being used by the Respondent for fraud, as multiple employees of the Complainant have received text messages that read: “Accenture Corporate SMS Dispatch: Your employment status is due for expiration. Please note that failing to update your employment status during a pending state may result in future network access issues.” And such employees are instructed to login using their employment credentials at the URL of the disputed domain name <mysso-accenture.com>, which imitates the Complainant company’s security login page. Besides, the other two disputed domain names resolve to a parked page.. The Complainant also contends that the Respondent’s intent in registering the disputed domain names must be to cause confusion amongst Internet users and the Complainant’s customers, to benefit from misdirected Internet traffic, to use the disputed domain names for malicious purposes, and to prevent the Complainant from owning the disputed domain names. The Complainant therefore claims that the disputed domain names cannot be used in a legitimate noncommercial way or constitute fair use or cannot qualify as a *bona fide* offering of goods and services.

Regarding bad faith, the Complainant submits that the Complainant and its trademarks were well reputed and predated the registration of the disputed domain names, therefore it is clear that the Respondent knew or should have known about the existence of the earlier ACCENTURE trademarks. The Complainant contends that the Respondent’s use of the disputed domain name <mysso-accenture.com> to redirect Internet users to malicious websites for the distribution of malware or other security risks is clear evidence of bad faith use and registration of a domain name. Besides, it is claimed that the Respondent is not using the other two parked disputed domain names for any legitimate purpose, which infers bad faith.

B. Respondent

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

6. Discussion and Findings

The Complainant must prove that the three elements of paragraph 4(a) of the Policy have been met for the disputed domain names, namely:

- (i) the disputed domain names are 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 disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

Since the Respondent did not object to any of the contentions from the Complainant by not submitting a Response, the Panel will decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable and on the basis of the Complaint and supporting Annexes.

A. Identical or Confusingly Similar

In light of the explanation and evidence provided by the Complainant, the Panel is satisfied that the Complainant has valid trademark rights in the ACCENTURE trademark, which is reproduced in its entirety in the disputed domain names. The Panel considers that the addition of other term “sso” or “my” does not prevent a finding of confusing similarity. The Panel further notes that the addition of the term “sso” may refer to the common acronym for “Single Sign-On”, which is a user authentication method for multiple applications and websites by using just one set of credentials.

Furthermore, the addition of the gTLD “.com” or “.net” may be disregarded under the first element confusing similarity test, since they are merely a technical registration requirement.

Consequently, the Panel finds that the disputed domain names are confusingly similar to the Complainant’s trademarks and the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy lists non-exhaustively the relevant circumstances that could show the Respondent’s rights or legitimate interests in a domain name, as follows:

“Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate [the respondent’s] rights or legitimate interests to the domain name for purposes of paragraph 4(a)(ii):

(i) before any notice to [the respondent] of the dispute, [the respondent’s] use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a *bona fide* offering of goods or services; or

(ii) [the respondent] (as an individual, business, or other organization) ha[s] been commonly known by the domain name, even if [the respondent] ha[s] acquired no trademark or service mark rights; or

(iii) [the respondent] is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

The Panel notes that the Respondent has not filed a Response, and therefore, neither denied the Complainant’s claims, nor brought any information or evidence to prove any rights or legitimate interests.

The Complainant has made a *prima facie* showing that the Respondent does not have any rights or legitimate interests in the disputed domain names. In particular, the Complainant asserts that the Respondent has no trademark or any right over the ACCENTURE signs and the Respondent has no license or authorization to use the Complainant’s trademark as part of the disputed domain names.

Additionally, the Complainant’s registration and use of the well-known ACCENTURE trademark predates the registration of the disputed domain names. Since the Complainant has made out a *prima facie* case, the burden of production shifts to the Respondent to establish its rights or interests in the disputed domain names. The Respondent, however, has not sought to rebut that *prima facie* case.

In light of the Complainant’s assertions and evidence, and the Panel’s finding under the third element, the Panel finds that the Complainant has met the requirement under the Policy showing that the Respondent does not have any rights or legitimate interests in the disputed domain names. Accordingly, the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy lists certain relevant non-exhaustive circumstances, which can be considered as the registration and use of a domain name in bad faith, namely:

“(i) circumstances indicating that [the respondent has] registered or acquired [a disputed] domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of [the respondent’s] documented out-of-pocket costs directly related to the domain name; or

(ii) [the respondent has] registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that [the respondent has] engaged in a pattern of such conduct; or

(iii) [the respondent has] registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, [the respondent has] intentionally attempted to attract, for commercial gain, Internet users to [the respondent’s] website or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [the respondent’s] website or location or of a product or service on [the respondent’s] website or location.”

Given the explanation in the Complaint and the evidence provided by the Complainant, the Panel finds that the disputed domain names were registered and are being used in bad faith.

The disputed domain names incorporate the exact distinctive ACCENTURE trademark of the Complainant, which cannot be considered as a coincidence. The Complainant has provided that the ACCENTURE trademark is well established and was used and registered predating the registration of the disputed domain names. Therefore, the fact that the Respondent decided to register the disputed domain names including this term in its entirety strongly suggests that the Respondent knew or should have known of the Complainant’s reputed ACCENTURE trademark and targeted it specifically in order to gain unfair advantage.

The fact that the Respondent’s use of the disputed domain name <mysso-accenture.com> for redirecting Internet users to malicious websites for possible distribution of malware or other security risks is clear evidence of bad faith use and registration. Besides, the Respondent’s use of the other two disputed domain names for parked pages does not prevent a finding of bad faith after the Panel’s examination of all relevant circumstances of this case, such as the Complainant’s trademark being well known, no response to the Complaint, and the implausibility of any good faith use that these two disputed domain names may be put.

Accordingly, the evidence shows that the Respondent likely knew of and had sought to take unfair advantage of the similarity between the disputed domain names and the Complainant’s well-known trademarks.

Moreover, panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See section 3.1.4 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”).

Consequently, the Panel decides that the third requirement is also met and both the registration and the use of the disputed domain names are in bad faith.

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, <mysso-accenture.com>, <mysso-accenture.net>, and <sso-accenture.net>, be transferred to the Complainant.

/Selma Ünlü/

Selma Ünlü

Sole Panelist

Date: May 4, 2023