

ADMINISTRATIVE PANEL DECISION

ComScore, Inc. v. Boxer, Boxer and liu niu, ABSOLUTE SCREENPRINT, INC.

Case No. D2024-5241

1. The Parties

The Complainant is ComScore, Inc., United States of America ("United States"), represented by Hyland Law PLLC, United States.

The Respondents are Boxer, Boxer and liu niu, ABSOLUTE SCREENPRINT, INC., United States.

2. The Domain Names and Registrars

The disputed domain names <comscorevip.com>, <comscorevip.top>, <comscorevip.xyz> are registered with Dominet (HK) Limited (the "Registrar") and the disputed domain names <comscore-vip.com> and <comscorevip.com> (collectively the "Disputed Domain Names") are registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 20, 2024. On December 20, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 23, 2024, 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 Respondent and contact information in the Complaint.

The Center sent an email communication to the Complainant on December 27, 2024 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) 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 December 27, 2024.

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 January 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 7, 2025.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on February 17, 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 was founded in 1999 as a provider of cross-platform media data analytics. The Complainant uses the trademark COMSCORE in connection with the provision of business consulting services in the fields of electronic commerce; marketing and advertising on a global computer network; conducting business marketing and advertising research and surveys; computerized database management services; and public opinion polling for business or advertising purposes, namely, monitoring consumer behavior and preference. The COMSCORE mark was registered on the Principal Trademark Register of the United States Patent and Trademark Office on April 2, 2002, under Registration No. 2556866, and on June 27, 2023, under Registration No. 7090764 (the "COMSCORE Marks").

The Disputed Domain Names <comscorevip.com> and <comscore-vip.com> were registered on September 24, 2024; the Disputed Domain Names <comscorenvip.com>, <comscorevip.xyz>, and <comscorevip.top> were registered on December 15, 2024. The Disputed Domain Names resolved to identical sign-in pages displaying the Complainant's mark and logo.

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.

The Complainant seeks to prevent the continued misuse of Complainant's COMSCORE Marks for the purpose of misleading, deceiving, and misdirecting Internet users, and otherwise for unlawful and nefarious purposes. The Disputed Domain Names have been and are being used in connection with a phishing scheme involving impersonation of the Complainant.

The Complainant discovered that the Disputed Domain Names are associated with websites – all substantively identical – that are being used for phishing, by impersonating the Complainant's name and logo. The Complainant received at least two reports from persons who were lured to one or more of the websites believed to be associated with the Disputed Domain Names, revealing the phishing scheme.

The Disputed Domain Names constitute deceptive derivatives of the COMSCORE Marks registered for the purpose of misdirecting and deceiving Internet users as to the origin, affiliation, and sponsorship of the Disputed Domain Names. Each of the Disputed Domain Names contain the Complainant's mark in full, followed by "vip", "-vip", or "nvip". As such, but for the additional few letters, the Disputed Domain Names are identical to the COMSCORE Marks and likely to be confused with the COMSCORE Marks and the Complainant's legitimate online location. The Disputed Domain Names are also phonetically and aurally substantially identical to the COMSCORE Marks, making them substantially identical to the COMSCORE Marks.

The purpose of the registration of the Disputed Domain Names, as revealed by the phishing websites and financial fraud on those who visited them, was to mislead persons into believing that they originated from the Complainant; using a domain name for purposes of phishing does not constitute a bona fide offering of goods or services.

The Respondent has no rights or legitimate interests in the COMSCORE Marks or the Disputed Domain Names. There is no license, permission, or other business affiliation between the Complainant and the Respondent by which any the Respondent could own or use any domain name incorporating the COMSCORE Marks. Moreover, the Complainant would never have approved or authorized use of the COMSCORE Marks by any Respondent.

The Respondent engaged in bad faith when it registered and used the Disputed Domain Names in an attempt to lure unsuspecting customers of the Complainant into providing username and password information, and into perpetrating financial fraud.

There can be no legitimate use by the Respondent of information deceptively derived from customers of the Complainant. Rather, the wrongful use of information obtained will likely taint or tarnish the COMSCORE Marks, thereby causing irreparable harm to the Complainant.

B. Respondent

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or 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 Names 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 notes that all the Disputed Domain Names were registered around the same time, using the same nameserver, and resolved to the same website.

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.

A. Identical or Confusingly Similar

The Complainant has demonstrated it owns registered trademark rights in its COMSCORE Marks. The addition of the descriptive terms “nvip”, “vip”, or “-vip” does not prevent a finding of confusing similarity as the Complainant’s COMSCORE mark is clearly recognizable in the Disputed Domain Names. See sections 1.7 and 1.8 of the [WIPO Overview 3.0](#).

Accordingly, the Disputed Domain Names are confusingly similar to a mark in which the Complainant has rights.

B. Rights or Legitimate Interests

The Complainant has presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names and has not been commonly known by the Disputed Domain Names. The fact that the Respondent obtained the Disputed Domain Names years after the Complainant had begun using its COMSCORE mark indicates the Respondent sought to piggyback on the Complainant for illegitimate reasons. The evidence provided by the Complainant shows that the Disputed Domain Names resolved to an active website seemingly impersonating the Complainant by featuring the Complainant’s trademark and logo, apparently in an attempt to convince users to provide sensitive login information. Such use is clearly not a bona fide offering of goods or services, nor a legitimate noncommercial or fair use.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Here, the Respondent has provided no evidence of any rights or legitimate interests in the Disputed Domain Names.

In the absence of any evidence rebutting the Complainant’s prima facie case indicating the Respondent’s lack of rights or legitimate interests in respect of the Disputed Domain Names, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Disputed Domain Names were registered years after the Complainant first registered and used its COMSCORE Marks. The evidence on the record provided by the Complainant including the extent of use its trademark, and the absence of any evidence provided by the Respondent to the contrary, is sufficient to satisfy the Panel that, at the time the Disputed Domain Names were registered, the Respondent undoubtedly knew of the Complainant’s COMSCORE Marks.

There is prima facie no reason for the Respondent to have registered the Disputed Domain Names using the Complainant’s COMSCORE Marks with the term “vip” (a well-known acronym for “Very Important Person”), variations of “vip”, which can be associated with the Complainant’s high-end consulting services. The Disputed Domain Names are currently inactive, but the Complainant has shown that they previously resolved to a web pages that falsely appears to be a web page for, or associated with, the Complainant, by prominently displaying the COMSCORE Marks and logo for the goal of scamming the Complainant’s customers. UDRP panels have found that given that the use of a domain name for per se illegitimate activity such as phishing can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. See section 3.1.4 of the [WIPO Overview 3.0](#). Moreover, it is clear that the Respondent sought to attract Internet users to its websites by creating a likelihood of confusion with the Complainant’s mark, likely for the Respondent’s commercial gain, which is evidence of bad faith registration and use under Policy paragraph 4(b)(iv) of the Policy.

Accordingly, the Panel finds that the Complainant has 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 Disputed Domain Names <comscorevip.com>, <comscore-vip.com>, <comscorevip.com>, <comscorevip.top>, and <comscorevip.xyz> be transferred to the Complainant.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: March 3, 2025