

ADMINISTRATIVE PANEL DECISION

Accenture Global Services Limited v. Neiman Hatcher
Case No. D2025-0231

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 Neiman Hatcher, United States.

2. The Domain Name and Registrar

The disputed domain name <myaccenture.org> (the "Domain Name") is registered with IONOS SE (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 22, 2025. On January 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 23, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 24, 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 January 29, 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 January 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 19, 2025. The Respondent did not submit any formal response. However, an informal email communication was received from the Respondent on February 20, 2025, stating: "The domain was taken down a while ago and is not being used to my knowledge". Possible Settlement email was sent from the Center on February 21, 2025, but no suspension

was requested by the Complainant. Accordingly, the Center notified the Commencement of Panel Appointment Process on March 3, 2025.

The Center appointed Ana María Pacón as the sole panelist in this matter on March 14, 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, Accenture Global Services Limited, is a global multinational professional services company originating in the United States and headquartered in Dublin, Ireland, that specializes in information technology (IT), outsourcing services and management consulting. It was founded in 1989. The Complainant has offices and operations in more than 200 cities in 49 countries.

Relevant to these proceedings, the Complainant has registered the trademark ACCENTURE worldwide, including:

- United States Registration No. 2,665,373 for ACCENTURE and logo, registered on December 24, 2002 for services in classes 35, 36, 41 and 42.
- United States Registration No. 2,884,125 for ACCENTURE and logo, registered on September 14, 2004 for products in classes 18, 25 and 28.
- United States Registration No. 3,091,811 for ACCENTURE, registered on May 16, 2006 for products and services in classes 9, 16, 35, 36, 37, 41 and 42.
- United States Registration No. 3,340,780 for ACCENTURE and logo, registered on November 20, 2007 for products in classes 16, 18, 21, 24 and 28.
- United States Registration No. 7,258,092 for ACCENTURE and logo, registered on January 2, 2024, for products and services in classes 9, 35, 36, 37, 41 and 42.
- United States Registration No. 7,258,093 for ACCENTURE and logo, registered on January 2, 2024, for products and services in classes 9, 35, 36, 37, 41 and 42.
- United States Registration No. 7,266,256 for ACCENTURE, registered on January 9, 2024, for products and services in classes 9, 35, 36, 37, 41 and 42.

The Complainant is also the registrant of the domain name <accenture.com> registered since August 29, 2000.

The Domain Name was registered on December 12, 2024.

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 Domain Name.

Notably, the Complainant argues that the Domain Name contains the Complainant's ACCENTURE trademark in its entirety, thereby satisfying Paragraph 4(a)(i). According to several UDRP panels, the

complete reproduction of a trademark in a domain name is sufficient to establish confusing similarity. In addition, its trademark is widely well-known and registered worldwide.

Furthermore, the Complainant contends that although the Respondent could have demonstrated his rights or legitimate interests in the Domain Name, he failed to do so. The Respondent was not commonly known by the Domain Name prior to its adoption and use by the Complainant. Moreover, the Respondent does not have any affiliation, association, sponsorship, or connection with the Complainant and has not been authorized, licensed or otherwise permitted by the Complainant or any subsidiary or affiliated company to register and use the Domain Name. The Respondent's refusal to explain the fraudulent employment verification letter reinforces the conclusion that the Domain Name was used for deceptive purposes, lacking any legitimate interest.

Under Paragraph 4(a)(iii), the Complainant contends that the Respondent has registered and is using the Domain Name in bad faith. Given the well-known character and reputation of the ACCENTURE mark, the Respondent must have known of its existence when registering the Domain Name. Furthermore, the use of the Domain Name in connection with a fraudulent employment verification letter reinforces the conclusion that it was registered and used for deceptive purposes.

The Complainant requests the transfer of the Domain Name.

B. Respondent

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

However, on February 20, 2025, an informal email communication was received from the Respondent stating: "The domain was taken down a while ago and is not being used to my knowledge".

6. Discussion and Findings

6.1 Previously issue

The Respondent sent on February 20, 2025, an email stating that the website had been taken down some time ago. On February 21, 2025, the Center acknowledged receipt and informed the Parties that the proceeding could be suspended for settlement discussions.

On February 25, 2025, the Complainant offered to resolve the matter outside of the UDRP proceeding, requesting that the Respondent (1) explain the employment verification letter sent using the @myaccenture.org email address and (2) sign a settlement agreement confirming that it would refrain from any further misrepresentation of an association with the Complainant. However, the Respondent did not reply, and no request for suspension was submitted.

Moreover, the Respondent's statement about taking down the Domain Name remains ambiguous regarding its stance on the Complainant's allegations and its willingness to transfer the Domain Name.

Accordingly, the Panel has decided to issue a substantive decision on the merits. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.10.

6.2 Substantive 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 Domain Name. See [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 entirety of the ACCENTURE mark is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

In the present case, the only difference between the ACCENTURE trademark and the Domain Name is the addition of the term “my”. In the Panel’s view the inclusion of the word “my” before the ACCENTURE trademark does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Then there is the addition of the generic Top-Level Domain (“gTLD”), here “.org”. As is generally accepted, the addition of a gTLD such as “.org” is merely a technical registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1, and *Accenture Global Services Limited v. Fan zhi*, WIPO Case No. [D2024-0285](#).

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 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel considers the following points based on the case record:

- Before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Name in connection with a bona fide offering of goods or services. Paragraph 4(c)(i) of the Policy, and [WIPO Overview 3.0](#), section 2.2.
- The Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Name. Paragraph 4(c)(ii) of the Policy, and [WIPO Overview 3.0](#), section 2.3.
- The Respondent is not 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. Paragraph 4(c)(iii) of the Policy, and [WIPO Overview 3.0](#), section 2.4.
- The record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Name.

The Respondent has used the Domain Name for an impersonation and phishing scheme. While not hosting a website, the Respondent has used it for fraudulent email communications. Additionally, the Respondent falsely suggests affiliation with the Complainant by incorporating the ACCENTURE trademark, brand identity, and an outdated address previously used by the Complainant. See *Insured Aircraft Title Service, LLC v. Brain Jason, Felix Coker, Marcia Van, Mickey Stateler, Denise Baustert*, WIPO Case No. [D2023-1567](#).

Panels have consistently held that the use of a domain name for illegal activity, here phishing, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 acknowledges that the Complainant has demonstrated that its trademark, ACCENTURE, which is registered and widely recognized, enjoys global public awareness.

Several UDRP panels have concluded that registering a domain name with knowledge of another company's rights in the name and with the intent to divert traffic constitutes evidence of bad faith registration (see *Digital Spy Limited v. Moniker Privacy Services and Express Corporation*, WIPO Case No. [D2007-0160](#); and *The Gap, Inc. v. Deng Youqian*, WIPO Case No. [D2009-0113](#)). This Panel finds it highly implausible that the Domain Name was registered in good faith, particularly since the Complainant owns and uses the nearly identical domain name <accenture.com> and given the Respondent's underlying use of the Domain Name to defraud the Complainant's customers.

The Respondent has used the Domain Name for an impersonation and phishing scheme. Panels have held that the use of a domain name for illegal activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy.

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 name <myaccenture.org> be transferred to the Complainant.

/Ana María Pacón/

Ana María Pacón

Sole Panelist

Date: March 28, 2025