

ADMINISTRATIVE PANEL DECISION

Arm Limited v. Name Redacted

Case No. D2025-0321

1. The Parties

The Complainant is Arm Limited, United Kingdom, represented by Demys Limited, United Kingdom.

The Respondent is Name Redacted.¹

2. The Domain Names and Registrar

The disputed domain names <armclang.com>, <armclang.net>, and <armclang.org> are registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 2025. On January 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On January 28, 2025, 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 service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 30, 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 February 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

¹The Respondent appears to have used the name and/or contact details of a third party when registering the disputed 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 disputed 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Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case.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](#).

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 February 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 25, 2025. The Respondent did not submit any formal Response. On March 2, 2025, the Center notified the Parties that it will proceed to panel appointment.

The Center appointed Mihaela Maravela as the sole panelist in this matter on March 7, 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

According to information in the Complaint, the Complainant is a leading semiconductor IP company. It designs electronic products, including computer processors, graphics processors, digital memories and peripheral hardware, supplies software, development tools for computer hardware, and provides software and consultancy services. The Complainant employs over 6,000 staff, operating from offices in more than nineteen territories around the world.

The Complainant is the owner of various registered trademarks for ARM, including the United States of America (“United States”) trademark no. 2332930 registered on March 21, 2000, covering goods in class 9, or the United Kingdom trademark no. UK00002000006 registered on January 29, 1999, covering goods and services in classes 9, 16, and 42. The Complainant operates a website at <arm.com>.

The disputed domain names were registered on July 11, 2024 and before the Complaint was filed, they resolved to the website with the same layout which allegedly offered help with the Complainant’s ARM compiler and at least one of the websites contained links to the Complainant’s official website. At the date of the Complaint, the disputed domain name <armclang.com> resolves to a website generating a security alert by an Internet browser, whereas the disputed domain name <armclang.net> resolve to a pay-per-click (“PPC”) advertising webpage containing third-party commercial advertising links in the IT area, and the disputed domain name <armclang.org> does not resolve to an active website. At the date of the Decision all disputed domain names are inactive. The disputed domain names’ zone files are configured with Mail eXchanger (“MX”) records.

The Complainant sent a cease-and-desist letter to the Respondent on November 29, 2024 with respect to the disputed domain name <armclang.com>, and the Respondent did not reply.

The Respondent is (presumably) an individual reportedly located in the United States. No information is available on the Respondent except for the information made available by the Registrar.

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 the disputed domain names consist of the Complainant’s trademark ARM and the term “clang”, which is a descriptive term, being a compiler front end for a variety of programming languages, including C and C++. The Complainant submits that the addition of “clang” does nothing to distinguish the disputed domain names from the Complainant’s ARM mark.

As regards the second element, the Complainant argues that the disputed domain names resolved, and the disputed domain name <armclang.com> still resolves, to websites which purported to be the Complainant's official ARM compiler (a compiler being a piece of software that allows a high-level programming language (such as C/C++, Java or Python) to automatically, and in an optimized manner, translate to low-level machine instructions which can be directly executed on a computer chip). The websites did not contain any disclaimer clarifying the lack of relationship between the Complainant and the Respondent and also included links to the Complainant's official website, while the Respondent is not authorized by, associated with or endorsed by the Complainant. The Complainant contends that no such misleading and confusing use could relate to a genuine, bona fide offering of goods and services and such use could not grant the Respondent legitimate interests in the disputed domain names.

With respect to the disputed domain name <armclang.net>, the Complainant argues that the PPC advertising links on the website associated with this disputed domain name exploit the value of the Complainant's trademark, and that such use is detrimental to the Complainant's rights and third-party advertising cannot provide the Respondent with a legitimate interest. As regards the disputed domain name <armclang.org>, the Complainant asserts that the Respondent cannot obtain or derive any rights or legitimate interests through its passive holding.

Regarding the third element, the Complainant contends that through the use of the disputed domain names before the Complaint was filed, as described above, the Respondent intended to create a website that misleads web users into believing that it is operated by the Complainant, and that such use is strongly indicative that the disputed domain names were registered and used in bad faith. With respect to the disputed domain name <armclang.net>, the Complainant contends that by using it at the date of the Complaint to display PPC advertisements, the Respondent has intentionally attempted to attract (for commercial gain) Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website according to paragraph 4(b)(iv) of the Policy. With respect to the disputed domain name <armclang.org>, its passive holding constitutes bad faith, as the Complainant is very well known worldwide and its ARM marks have been used for many years prior to the registration of the disputed domain names, the Respondent did not respond to the Complainant's letter and has therefore put forward no evidence of any contemplated good faith use, and the Respondent has redacted, or allowed the redaction, of its details from the public Whois.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. On February 11, 2025, a person whose name seems to correspond to that of the disputed domain name registrant sent an informal email communication to the Center, claiming he had received the Center's written notice in the mail but no copy of the Complaint.

6. Discussion and Findings

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

The Panel notes that the Respondent was duly notified at the postal and email addresses as disclosed by the Registrar and hence the Panel deems that the Parties have been given a fair opportunity to present their case.

The applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence", and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)).

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights, (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.

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 the entirety of the mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. While the addition of other terms here, "clang", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

It is the settled view of panels applying the Policy that the Top-Level Domain ("TLD") (here ".com", ".net" and ".org") should be disregarded under the first element test.

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. 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.

In the present case, the Complainant has proved it holds rights over the trademark ARM, and claims that the Respondent has no legitimate reason to register or acquire the disputed domain names. There is no evidence that the Respondent is using the disputed domain names in connection with a bona fide offering of goods or services, nor does the Respondent appear to engage in any legitimate noncommercial or fair use of the disputed domain names within the meaning of paragraphs 4(c)(i) and (iii) of the Policy.

Rather, according to the un rebutted evidence with the Complaint, the disputed domain names resolved before the Complaint was filed, and also at the date of the Complaint for the disputed domain name <armclang.com>, to websites which purported to be the Complainant's official ARM compiler, with no disclaimer as to the relationship or lack thereof with the Complainant and also included links to the Complainant's official website. Such use does not in the circumstances of this case give rise to any rights or legitimate interests on the Respondent's part.

Further, according to the un rebutted evidence in the case file, at the date of the Complaint, the disputed domain name <armclang.net> was used to host a parked page comprising PPC links, which presumably generate income for the Respondent. This use does not amount to a bona fide offering of goods or services, as such links compete with, or capitalize on, the Complainant's mark and mislead Internet users. The disputed domain name <armclang.org> did not resolve to an active website at the date of the Complaint which according to the Panel does not give rise to any rights or legitimate interests in the disputed domain name under the circumstances of these proceedings.

There is no evidence that the Respondent is commonly known by the disputed domain names within the meaning of paragraph 4(c)(ii) of the Policy.

Furthermore, the nature of the disputed domain names carries a risk of Internet user confusion and affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the websites at the dispute domain names.

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.

According to the un rebutted assertions of the Complainant, its ARM trademark was widely used in commerce well before the registration of the disputed domain names. The disputed domain names fully include the Complainant's ARM trademark, which is inherently distinctive and clearly recognizable within the disputed domain names. Furthermore, the addition of the term "clang", which is descriptive for the Complainant's services, to the disputed domain names, supports the finding that the Respondent wanted to create an association between the disputed domain names and the Complainant when it registered the disputed domain names. Moreover, before the Complaint was filed, the disputed domain names resolved to websites displaying the Complainant's trademark and purporting to offer the goods or services related to the Complainant's with no disclaimer as to the relationship or lack thereof with the Complainant. The disputed domain name <armclang.com> was used for the same content at the date of the Complaint. Therefore, given the circumstances in the case the Panel considers that the Respondent must have had knowledge of the Complainant's rights in the ARM trademarks when it registered the disputed domain names and it has intentionally created a likelihood of confusion with the Complainant's trademarks in order to attract Internet users for its own commercial gain, as envisaged by paragraph 4(b)(iv) of the Policy and/or to disrupt the business of the Complainant.

As regards the disputed domain name <armclang.net>, it was used at the date of the Complaint to direct to a website displaying PPC advertisements for services related to the Complainant's services. Given the confusing similarity between the ARM trademark and the mentioned disputed domain name, Internet users would likely be confused into believing that the Complainant is affiliated with the website to which the disputed domain name resolves. Presumably the Respondent intends to benefit from the confusion created:

it is likely that the Respondent earns income when Internet users click on the links in search of ARM services.

With respect to the disputed domain name <armclang.org>, it was inactive at the date of the Complaint. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of these proceedings. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement). [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's trademark, and the composition of the disputed domain name, likely use of false contact details by the Respondent, and finds that in the circumstances of this case the passive holding of this disputed domain name does not prevent a finding of bad faith under the Policy. This conclusion is applicable also to the current use of the disputed domain names.

In addition, the Respondent has configured the MX records of the disputed domain names, to send and receive email messages. Moreover, the Respondent has not formally participated in these proceedings and has failed to rebut the Complainant's contentions or provide any evidence of actual or contemplated good-faith use.

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 <armclang.com>, <armclang.net>, and <armclang.org> be transferred to the Complainant.

/Mihaela Maravela/

Mihaela Maravela

Sole Panelist

Date: March 19, 2025