

## **ADMINISTRATIVE PANEL DECISION**

### **Federal National Mortgage Association DBA Fannie Mae v. Amar Reddy Case No. D2025-0363**

#### **1. The Parties**

1.1 The Complainant is Federal National Mortgage Association DBA Fannie Mae, United States of America ("United States"), represented by Kelley Drye & Warren, LLP, United States.

1.2 The Respondent is Amar Reddy, India.

#### **2. The Domain Name and Registrar**

2.1 The disputed domain name <fanniemaapprovedcondos.com> (the "Domain Name") is registered with TLD Registrar Solutions Ltd (the "Registrar").

#### **3. Procedural History**

3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 30, 2025. At that time, publicly available Whois details did not identify the registrant of the Domain Name.

3.2 On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 3, 2025, the Registrar transmitted by email to the Center its verification response, disclosing underlying registrant and contact information for the Domain Name.

3.3 The Center sent an email communication to the Complainant on February 3, 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 6, 2025.

3.4 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").

3.5 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 14, 2025.

3.6 The Center appointed Matthew S. Harris as the sole panelist in this matter on March 27, 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**

4.1 The Complainant is a federally chartered corporation organised and existing under the laws of Washington, D.C. United States. The Complainant provides housing finance for homebuyers and renters in the United States and elsewhere including buying and selling mortgages for others, securitizing mortgage loans in the form of mortgage-backed securities, providing products and tools to enable mortgage lending, and related financial goods and services. It has offered those goods and services under the name "FANNIE MAE" as early as 1956.

4.2 The Complainant is the owner of numerous registered trade marks that comprise or incorporate the term FANNIE MAE. They include:

- (i) United States trade mark registration no. 946,030 for FANNIE MAE in class 36 with a registration date of October 24, 1972; and
- (ii) European Union trade mark registration no. 000097634 for FANNIE MAE as a word mark in classes 16, 25 and 36 and with a registration date of March 13, 1998.

4.3 The Complainant promotes its activities from a website operating from the domain name <fanniemae.com>. The Complainant's website currently features among other things a software tool under the name the Condo Project Manager that enables lenders to certify a condominium project that meets the Complainant's eligibility requirements for federal financing. Condominium projects that satisfy those requirements are referred to as a "Fannie Mae Approved Condo." The Complainant compiles, maintains, and updates a list of projects granted that designation, which is confidential to the Complainant.

4.4 The Domain Name was registered on August 9, 2011.

4.5 Since registration the Domain Name has been used for a WordPress generated website that purports to provide information about "Fannie Mae Condo Approvals" and to provide a list of such properties. The approval dates provided for the listed properties are all in 2011 or 2012. The website also has displayed Google AdSense advertisements. The website does not disclose the person or entity operating the website.

4.6 The Complainant's lawyers sent Digital Millennium Copyright Act take down notices to the Registrar of the Domain Name and the hosting provider of the website operating from the Domain Name in late 2023, but did not receive a response to the same.

#### **5. Parties' Contentions**

##### **A. Complainant**

5.1 The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

5.2 Notably, the Complainant contends that its FANNIE MAE trade mark is reproduced in its entirety within the Domain Name. It further contends that the Respondent registered and is using the Domain Name with the intention of misdirecting and attracting users to visit the Domain Name and make monetised purchases through the linked third-party retailer pages, for the monetary benefit of the Respondent. The Complainant

relies in this respect upon the Google AdSense advertisements appearing on the webpage operating from the Domain Name.

5.3 The Complainant also contends that the website incorporates confidential and proprietary content from the Complainant's website, although it also asserts that "the information is outdated and/or incorrect". This is said to involve the Respondent offering services that are identical or related to the Complainant's goods and services. It is claimed that such activity does not provide the Respondent with a right or legitimate interest in the Domain Name and demonstrates that the Domain Name was registered and is being used in bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

6.1 It is generally 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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

6.2 The Complainant has shown rights for the purposes of the Policy in a number of registered trade marks, comprising the words "Fannie Mae". [WIPO Overview 3.0](#), section 1.2.1.

6.3 The entirety of words "Fannie Mae" (albeit absent the space, which cannot form part of a domain name) and consequentially the entirety of the Complainant's FANNIE MAE trade marks are reproduced within the Domain Name. Accordingly, the Panel finds these marks are recognisable within the Domain Name and that the Domain Name is confusingly similar to the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

6.4 Although the addition of other terms (in this case, text that can only be sensible read as the words "approved condos") may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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.

6.5 The Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

6.6 For reasons that are set out in the context of its assessment of bad faith, the Panel is satisfied that the Domain Name was registered and held with knowledge of the Complainant's marks and business, and with the intention that it would be used for a website that purported to provide information related to the Complainant and its business, for financial gain.

6.7 The Panel is frankly sceptical as to the Complainant's claims that the information that is to be found on the website is currently "proprietary and confidential". Perhaps that was so when the website first began to operate, but as is again addressed in greater detail in the bad faith section of this decision, it would appear that this website has displayed this information for close to 14 years, without objection by the Complainant. If that is right, then the claims that this is still confidential seems implausible.

6.8 Nevertheless, even if that information is no longer confidential, to the extent the website can be seen as offering services related to the Complainant's offering, to even arguably have a right or legitimate interest in the Domain Name, the Respondent would need at least to satisfy the conditions commonly referred to as

the “Oki Data” requirements (as set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), and section 2.8.2 of the [WIPO Overview 3.0](#)) and that one of these requirements is that the domain name holder “must accurately and prominently disclose the registrant’s relationship with the trademark holder”. The Panel is of the view that the degree of disclosure required includes full disclosure of the individual or commercial entity that is operating the relevant website. This the Respondent has wholly failed to do.

6.9 Further, and in any event the Panel is satisfied that not only is the operator of that website not properly disclosed, but that the content of the website is such that at least some Internet users reaching the site are likely to mistakenly believe that this is not just a website purporting to provide information related to the Complainant, but is either operated by the Complainant or is authorised by it. Not only does such activity not provide rights or legitimate interests (sections 2.5.1 and 2.5.3 of the [WIPO Overview 3.0](#)) but it provides positive evidence that no such rights or legitimate interests exist.

6.10 In the circumstances, the Panel finds the second element of the Policy has been established.

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

6.11 It would appear that the Domain Name was registered nearly 14 years ago. Further, the content that is displayed on the website operating from the Domain Name (and in particular the limitation to condominiums alleged to have been approved by the Complainant until dates in 2011 and 2012) suggests that this content itself has not changed to any significant degree since the website first began to operate.<sup>1</sup>

6.12 Why the Complainant waited so long in pursuing its claims in this case is not explained. Further although the Complainant appears in places to rely upon the fact that it is now offering a tool under the name “Condo Project Manager” and that properties approved using that tool are called “Fannie Mae Approved Condos”, there is no evidence before the Panel that at the date when the Domain Name was registered this tool existed or that the term “Fannie Mae Approved Condos” had any meaning other than as descriptive of condominiums in respect of which the Complainant would be prepared to provide funding.

6.13 Nevertheless, the Panel is still persuaded that the Domain Name was both registered and has been used in and faith.

6.14 First, the mere delay between the registration of a domain name and the filing of a complaint neither bars a complainant from filing such case, nor from potentially prevailing on the merits ([WIPO Overview 3.0](#), section 4.17). Second, there is no doubt that the Respondent was aware of the Complainant’s business under the FANNIE MAE name and mark at the time the Domain Name was registered. The mark had been extensively used for many years prior to the Domain Name registration, and the Domain Name can only be sensibly read as incorporating that mark with words that describe properties in respect of which the Complainant would be prepared to provide lending. Further, the fact that the Respondent intended the Domain Name to be understood that way is also clear from the content that appeared on the website operating from the Domain Name since registration.

6.15 In the circumstances, the Panel is satisfied that the Respondent registered and has subsequently used the Domain Name in order to attract users to its website thinking it might be operated or authorised by the Complainant, when it was not. Further, as has already been discussed in the context of the issue of rights and legitimate interests, the Panel is satisfied that at least some Internet users reaching that website will still think this to be the case.

6.16 Finally, the Panel is also satisfied on the balance of probabilities given the Complainant’s assertions and evidence as to the use of Google AdSense advertisements (and absent any argument or evidence to the contrary), that the Domain Name was registered and has been held by the Respondent in order to generate

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<sup>1</sup>Material available on the Internet Archive also tends to support that conclusion.

revenue from those advertisements. Such activity falls within the scope of the example of circumstances evidencing bad faith set out in paragraph 4(b)(iv) of the Policy.

6.17 Accordingly, the Panel finds that the Complainant has established the third element of the Policy.

## **7. Decision**

7.1 For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <fanniemaapprovedcondos.com> be transferred to the Complainant.

*/Matthew S. Harris/*

**Matthew S. Harris**

Sole Panelist

Date: April 10, 2025