

## **ADMINISTRATIVE PANEL DECISION**

Bumble Holding Limited v. Susan Foxx, Crescendo Homes  
Case No. D2025-0652

### **1. The Parties**

The Complainant is Bumble Holding Limited, United Kingdom, represented by Pinsent Masons LLP, United Kingdom.

The Respondent is Susan Foxx, Crescendo Homes, Nigeria.

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

The disputed domain name <bumblelabs.site> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 19, 2025. On February 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 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 amendment to the Complaint amended Complaint on February 25, 2025.

The Center verified that the Complaint together with the amendment to the 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 February 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 19, 2025.

The Center appointed Beatrice Onica Jarka as the sole panelist in this matter on March 28, 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 is Bumble Holding Limited, which trades as BUMBLE.

The Complainant owns and operates other BUMBLE brands globally, all of which form part of the Complainant's corporate structure. The Complainant established in 2014 the BUMBLE mobile application (the "App"), which is available around the world and has had over 100 million users worldwide.

The Complainant holds rights in the mark BUMBLE and the public has become accustomed to seeing the Complainant's BUMBLE brand.

The Complainant owns a large global portfolio of registered trade mark rights in respect of the BUMBLE brands, for marks consisting of or incorporating BUMBLE (the "Complainant's Marks").

Among the registered trademarks, the Complainant holds registrations of trademark BUMBLE in:

- United Kingdom under number UK00003072396 registered on January 16, 2015 for classes 38, 42, 45;
- United Kingdom under number UK00909121039 registered on November 2, 2010 for classes 30, 32, 35;
- United Kingdom under no UK00913335237 registered on February 13, 2015 for classes 9, 25, 35, 38, 41, 42, 45.

The Respondent registered the disputed domain name on February 6, 2025. The disputed domain name resolves to an inactive website. The Complainant provided evidence of email communications sent from the disputed domain name purportedly discussing employment opportunities with the Complainant.

#### **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 name.

Notably, the Complainant contends that:

- The disputed domain name is confusingly similar with the Complainants' business, trading name and the Complainants' Marks, as it wholly incorporates the BUMBLE sign at the start of it, with a minor addition of the word "labs" at the end. Such structure makes the disputed domain name phonetically and visually confusingly similar with the Complainant's Marks.
- By incorporating the term "labs" within the disputed domain name is an attempt to falsely imply an association with the Complainant's internal team or as a business incubation aspect of the company, which does not interfere with the finding of confusing similarity between the disputed domain name and the Complainant's Marks.
- The Respondent has no rights in relation to the BUMBLE brands or the Complainant's Marks which are incorporated in the disputed domain name in full or in part, but is reasonable to conclude that the Respondent registered the disputed domain name knowing that it is likely to attract internet users who are searching for the Complainant.
- Bearing in mind the significant reputation of the BUMBLE brands and the Complainant's operations, there is no believable or realistic reason for the registration or use of the disputed domain name other than to take

advantage of the Complainant's rights in the Registered Marks and its goodwill and reputation in the BUMBLE brand, by misappropriating the valuable intellectual property of the Complainant.

- The disputed domain name has been registered in bad faith for illegitimate purposes in order to infringe the Complainant's Marks; to deceive the public into believing that the goods and services offered by the Respondent are connected to the Complainant; to use the website hosted at the disputed domain name as a means to deceive consumers and to facilitate the creation of email addresses which could be used for illegitimate or fraudulent purposes.
- The combination of the reputation of the Complainant's BUMBLE brands, and the near identity of the disputed domain name to the same with the additional descriptive term "labs", will cause a false association between the disputed domain name and the Complainant's BUMBLE brand and will lead the average Internet user to believe that the disputed domain name is owned by the Complainant.
- A finding of use in bad faith can be found when no website appears at the domain name and when the domain owner has taken steps to conceal their identity, which applies to this case.
- The Respondent's intention to disrupt and tarnish the Complainant's business is evident as the Complainant became aware of the disputed domain name when their Member Support Team was informed by a member that they have received an email from a casting director on LinkedIn recruiting actors for a social project with the Complainant and they questioned the legitimacy of the email. The casting director is the founder and CEO of an unrelated third party, and the Complainant contends the LinkedIn account associated with the original message is fraudulent.
- The Complainant also does not and has not worked with the casting director or third party company.
- Such behaviour is a clear indication that the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of the Complainant.

## **B. Respondent**

Although procedurally summoned, the Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["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 mark is reproduced within the disputed domain name as it wholly incorporates the BUMBLE sign at the start of it, with an addition of the word "labs" at the end. Such reproduction of the Complainant's Marks supports a finding that the disputed domain name is phonetically and visually confusingly similar with the Complainant's Marks.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, "labs", 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 name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Consequently, 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 name.

It is the Complainant’s assertion that the Respondent has no rights in relation to the Complainant’s Marks which are incorporated in the disputed domain name in full or in part. Moreover, the disputed domain name appears to be parked. The evidence presented by the Complainant shows the Respondent has registered and used the disputed domain name, also by a fake LinkedIn account, to create a false association between the disputed domain name and the Complainant’s BUMBLE brand, which may lead the average Internet user to believe that the disputed domain name is owned by the Complainant.

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 name such as those enumerated in the Policy or otherwise.

Considering the reputation of the Complainant’s Marks, and the documented intent of the Respondent to falsely associate the disputed domain name with the Complainant and send out false employment communications, this Panel finds that such use of the disputed domain name can never confer rights or legitimate interests on a respondent.

Consequently, 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 notes that the Respondent appears to register or use of the disputed domain name in order to take advantage of the Complainant’s rights in the Complainant’s Marks and its goodwill and reputation in the BUMBLE brand, by misappropriating the valuable intellectual property of the Complainant. Moreover, the disputed domain name appears registered in bad faith for illegitimate purposes in order to infringe the Complainant’s Marks; to deceive the public into believing that the services offered by the Respondent are connected to the Complainant; to use the website hosted at the disputed domain name as a means to deceive consumers and to facilitate the creation of email addresses which have been used for illegitimate or fraudulent purposes.

Similar argument is applicable in respect of Respondent’s intention to disrupt and tarnish the Complainant’s business which appears evident as the Complainant became aware of the disputed domain name when their Member Support Team was informed by a member that they had received a fraudulent email from an individual regarding employment opportunities with the Complainant that did not exist.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off, or other types of fraud, 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 disputed domain name constitutes bad faith under the Policy.

Consequently, the Panel finds that the Complainant has established the third element of the Policy, too.

## 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 <bumblelabs.site> be transferred to the Complainant.

*/Dr. Beatrice Onica Jarka/*

**Dr. Beatrice Onica Jarka**

Sole Panelist

Date: April 11, 2025