

## **ADMINISTRATIVE PANEL DECISION**

comScore, Inc. v. Boxer, Boxer  
Case No. D2025-1093

### **1. The Parties**

The Complainant is comScore, Inc., United States of America (“U.S.”), represented by Hyland Law PLLC, U.S.

The Respondent is Boxer, Boxer, U.S.

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

The disputed domain names <comscoreq.com>, <comscorevip.com>, <comscorew.com> and <comscorewvip.com> (the “Disputed Domain Names”) are registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 17, 2025. On March 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 19, 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 ([NO NAME LISTED]) and contact information in the Complaint. The Center sent an email communication to Complainant on March 20, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 20, 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 Respondent of the Complaint, and the proceedings commenced on March 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 16, 2025.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on April 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

Complainant states that it “was founded in 1999 and rapidly emerged, and continues, as a leading multi-national provider of cross-platform media data analytics.” Complainant states, and provides documentation to support, that it is the owner of the following trademark registrations (the “COMSCORE Trademark”):

- U.S. Reg. No. 2,556,866 for COMSCORE (registered April 2, 2002) for use in connection with, inter alia, “business consulting services in the fields of electronic commerce, marketing and advertising on a global computer information network”
- U.S. Reg. No. 7,090,764 for COMSCORE (registered June 27, 2023) for use in connection with, inter alia, “business consulting services in the fields of electronic commerce, marketing and advertising on a global computer information network”

The Disputed Domain Names were created on February 23, 2025 (<comscoreq.com> and <comscorew.com>) and February 7, 2025 (<comscoreqvip.com> and <comscorewvip.com>). According to Complainant, the Disputed Domain Names “are associated with a website that is being used for phishing, by impersonating [Complainant’s] name and logo.” (Screenshots provided in the body of the Complaint do not correspond to the Disputed Domain Names as listed therein. The Panel assumes – but would have preferred to see clarification in the Complaint itself -- that each of the Disputed Domain Names redirects to a website using a different domain name. Further, the Panel observes that, as of the date of this decision, none of the Disputed Domain Names appears to be associated with an active website.) Complainant states that it “has received at least eleven reports from persons who were lured to one or more of the websites (and others like them that were the subject of a prior UDRP action, WIPO Case No. [D2024-5241](#), relating to the same scheme, but different domain names) believed to be associated with the subject domain names and similar names, revealing the phishing scheme.” In support thereof, Complainant quotes from two such emails, although none of the emails refers to any of the Disputed Domain Names, and Complainant failed to include the actual emails as annexes to the Complaint.

#### 5. Parties’ Contentions

##### A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Names.

Notably, Complainant contends that:

- Each of the Disputed Domain Names is identical or confusingly similar to the COMSCORE Trademark because each “contain[s] [Complainant’s] name in full” plus the letters “q” or “w” and, in two cases, the letters “vip” (short for “very important person”); and “the subject domain names are phonetically and aurally substantially identical to the [COMSCORE Trademark], making them substantially identical to” the COMSCORE Trademark.
- Respondent has no rights or legitimate interests in the Disputed Domain Names because, inter alia, “[t]he purpose of the registration of the subject 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 [Complainant]”; “[u]se of a domain name for purposes of phishing does not constitute a bona fide offering of goods or services under the Policy”; “[t]here is no license, permission, or other business affiliation between

[Complainant] and Respondent by which the Respondent could own or use any domain name incorporating” the COMSCORE Trademark; and “the subject domain names are not being used in connection with a bona fide offering of goods or services and there is no evidence to suggest that Respondent is preparing to use any of the subject domain names in connection with a bona fide offering of goods or services.”

- Respondent registered and is using the Disputed Domain Names in bad faith because, inter alia, Respondent has “attempt[ed] to lure unsuspecting customers of [Complainant] into providing username and password information, and into perpetrating financial fraud”; “Respondent sought to cause and thereafter benefit from confusion as to the source, sponsorship, affiliation, or endorsement of the subject domain names and the associated websites by disguising it as originating from the Complainant”; “[i]nducing consumers to disclose sensitive information based on a fraudulent website or email constitutes phishing”; and “[t]he use of a domain name in a phishing scheme is in itself evidence that the disputed domain names were registered and used in bad faith.”

## **B. Respondent**

Respondent did not reply to 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 Names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.7.

Based on the registrations cited by Complainant and the certificates of registration included as annexes, Complainant has shown rights in respect of a trademark or service mark for purposes of the Policy, that is, the COMSCORE Trademark. [WIPO Overview 3.0](#), section 1.2.1.

As set forth in [WIPO Overview 3.0](#), section 1.7, “in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.” Here, the entirety of the COMSCORE Trademark is reproduced within each of the Disputed Domain Names.

Further, although the addition of other terms (here, the letters “q” and “w” and, in two cases, “vip”) 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. Indeed, previous panels have found that disputed domain names containing a complainant’s trademark plus the letters “vip” are confusingly similar to the trademark. See, e.g., *Equinor ASA v. Wang sen, wangsen guo ji mao yi ji tuan*, WIPO Case No. [D2024-3761](#) (finding <equinor-vip.online> confusingly similar to EQUINOR); *Carrefour SA v. Sophia*, WIPO Case No. [D2024-3088](#) (finding <carrefour-vip.top> confusingly similar to CARREFOUR); and *Blancpain SA, Omega SA, Swatch AG v. Dirk Scheidt, hu Luo, lewansi, XU euni, Zheng Zheng*, WIPO Case No. [D2023-5177](#) (finding <swatch-vip.online> confusingly similar to SWATCH).

Finally, “[a] domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element.... Examples of such typos include... the addition or interspersing of other terms or numbers.” [WIPO Overview 3.0](#), section 1.9. Clearly, the addition of the letters “q” and “w” are such typos.

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 a 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Names. Respondent has not rebutted 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.

Further, “[p]anels have categorically held that the use of a domain name for illegal activity (e.g., phishing...) can never confer rights or legitimate interests on a respondent.” [WIPO Overview 3.0](#), section 2.13.1. Here, Complainant has alleged that Respondent has used the Disputed Domain Names to engage in phishing activities, although the limited excerpts of emails included only in the body of the Complaint (and which do not refer to the Disputed Domain Names) do not necessarily support this allegation. The Panel would have preferred to review the actual emails (of which there may be as many as 11, according to the Complaint) instead of relying on Complainant’s limited excerpts of two of them.

In any event, , without any response from Respondent, also noting the Panel’s further findings under the third element of the Policy and the overall circumstances of this case, 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 Complainant alleges that Respondent has engaged in phishing activities using the Disputed Domain Names – although, as stated above, the evidence of same as provided by Complainant is lacking. Therefore, while phishing is clearly evidence of bad faith (see, e.g., [WIPO Overview 3.0](#), section 3.4), the Panel is hesitant to find bad faith based solely on such allegation from Complainant.

However, the typographical nature of the Disputed Domain Names is indicative of bad faith. See, e.g., [WIPO Overview 3.0](#), sections 3.1.1 and 3.1.4.

Further, by registering the four Disputed Domain Names in this case – as well as, apparently, the three domain names <comscorevip.com>, <comscorevip.top>, <comscorevip.xyz> in *ComScore, Inc. v. Boxer, Boxer and liu niu, ABSOLUTE SCREENPRINT, INC.*, WIPO Case No. [D2024-5241](#) – it is apparent that Respondent has engaged in a pattern of conduct constituting bad faith pursuant to paragraph 4(b)(ii) of the Policy.

The Panel finds that 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 <comscoreq.com>, <comscoreqvip.com>, <comscorew.com> and <comscorewvip.com> be transferred to Complainant.

*/Douglas M. Isenberg/*

**Douglas M. Isenberg**

Sole Panelist

Date: May 11, 2025