

## **ADMINISTRATIVE PANEL DECISION**

Accenture Global Services Limited v. Sheetal Gaikwad  
Case No. D2025-1168

### **1. The Parties**

The Complainant is Accenture Global Services Limited, Ireland, represented by McDermott Will & Emery LLP, United States of America.

The Respondent is Sheetal Gaikwad, United Arab Emirates.

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

The disputed domain name <accentureconsultancyuae.com> is registered with GoDaddy.com, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 21, 2025. On March 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 21, 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 (Registration Private / Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 25, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Respondent sent an email communication to the Center on March 26, 2025. The Complainant filed an amended Complaint on March 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 March 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 6, 2025.

The Center appointed Dietrich Beier as the sole panelist in this matter on May 9, 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 an international business that provides a broad range of services and solutions in strategy, consulting, digital, technology and operations under the name ACCENTURE and is the owner of the ACCENTURE trademark and company name, and marks fully incorporating the ACCENTURE trademark. The Complainant began using the mark ACCENTURE in connection with various services, including management consulting, technology services and outsourcing services, on January 1, 2001. The Complainant has nowadays offices and operations in more than 200 cities in 49 countries.

Since January 2001, the Complainant has extensively used and continues to use the mark ACCENTURE in connection with various services and specialties, including inter alia management consulting and business process services, which comprise various aspects of business operations such as supply chain and logistics services, as well as technology services and outsourcing services. Advertising expenditures in 2022 were up to USD 94 Million. Accenture ranked in 2024 on position 31 in the Interbrand's Best Global Brands 2024 report.

The Complainant owns registrations for the ACCENTURE mark and ACCENTURE & Design mark in more than 140 countries. The Complainant owns more than 1,000 registrations for the marks ACCENTURE, ACCENTURE & Design and many other marks incorporating the ACCENTURE brand for a variety of products and services including, but not limited to, its management consulting, technology services and outsourcing services.

The Complainant is the proprietor of several trademark registrations for ACCENTURE, among them the United States of America Trademark registration 3091811 in classes, 9, 16, 35, 36, 37, 41 and 42, registered on May 16, 2006, and the European Union Trademark 001925650 ACCENTURE in classes, 9, 16, 35, 36, 37, 39, 41 and 42, registered on October 9, 2002, both being in effect.

The disputed domain name was registered on February 18, 2025 and shows an otherwise empty Index page.

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

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

The complainant contends that the disputed domain name is nearly identical and confusingly similar to the Complainant's famous ACCENTURE trademark whereas the descriptive terms "consultancy" and the geographically descriptive term UAE fail to negate confusing similarity.

Further, the Respondent is not known by the disputed domain name or was authorized by the Complainant to make use of his mark. The Respondent is also not making a legitimate noncommercial fair use of the disputed domain name.

Given the Complainant's worldwide reputation and the ubiquitous presence of the ACCENTURE Marks on the Internet, the Respondent must have been aware of the ACCENTURE Marks prior to registering the disputed domain name. The inactive holding of a domain name that incorporates a registered trademark, without a legitimate Internet purpose, is under the given circumstances no counter indication against the domain name being used in bad faith.

## **B. Respondent**

The Respondent did not formally reply to the Complainant's contentions. The Respondent sent an email communication to the Center on March 26, 2025, saying "What is the email about? Can you please explain".

## **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 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 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. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The addition of the descriptive and not distinctive element "Consultancy" as well as the geographical identifier "UAE" 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.

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. 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. This is in particular the case since the Complainant did not grant any permission or consent to the Respondent to use its trademarks. Furthermore, the Respondent has no rights or legitimate interests in the disputed domain name since there is no indication that the Respondent is commonly known by the name "ACCENTURE" or "accentureconsultancyuae" nor that the Respondent is using the disputed domain name in connection with a bona fide offering of related goods or services.

The Panel finds the second element of the Policy has been established.

### C. Registered and Used in Bad Faith

In the view of the Panel, the Respondent must have been aware of the widely known Complainant and its trademarks when registering the disputed domain name. The Complainant has not authorized the Respondent to make use of its trademarks. From the record, the Panel does not see any conceivable legitimate use being made by the Respondent of the disputed domain name.

The Panel shares the view of several panelists in other prior UDRP proceedings who found that the ACCENTURE Mark is distinctive and well-known, among them *Accenture Global Services Limited v. Elvis Igiemeh* WIPO Case No. [D2025-1316](#) and *Accenture Global Services Limited v. Terri Webb*, WIPO Case No. [D2023-1477](#).

Furthermore, it is the consensus view of previous UDRP panels following the *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#), that even a lack of active use of the domain name without any active attempt to sell or to contact the trademark holder (passive holding), does not as such prevent a finding of bad faith. Examples of what may be cumulative circumstances found to be indicative of bad faith include, not exhaustive, the complainant having a well-known trademark, no response to the complaint having been filed or lack of an explanation as to the registration of the disputed domain name, and the registrant's concealment of its identity. All of the afore mentioned circumstances are given in the present case.

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 <accentureconsultancyuae.com> be transferred to the Complainant.

/Dietrich Beier/

**Dietrich Beier**

Sole Panelist

Date: May 22, 2025