

ADMINISTRATIVE PANEL DECISION

ComScore, Inc. v. Leo, Christo Leo
Case No. D2025-1173

1. The Parties

The Complainant is ComScore, Inc., United States of America ("United States"), represented by Hyland Law PLLC, United States.

The Respondent is Leo, Christo Leo, Malaysia.

2. The Domain Names and Registrar

The disputed domain names <comscore.center>, <comscore.cheap>, <comscore.city>, <comscore.golf>, <comscore.ink>, <comscore.network>, <comscore.site>, <comscore.skin>, <comscore.space>, and <comscore.team> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 20, 2025. On March 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 21, 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") and contact information in the Complaint. The Center sent an email communication to the Complainant on March 24, 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 March 25, 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 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 22, 2025.

The Center appointed Jane Seager as the sole panelist in this matter on April 30, 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

Founded in the United States in 1999, the Complainant is a multinational provider of cross-platform media data analytics. The Complainant offers a range of services that help clients understand and optimize their marketing strategies by delivering insights into audience demographics, engagement, and media consumption patterns. The Complainant's services are used to enhance advertising campaigns, improve content delivery, and drive business growth. The Complainant is a publicly traded company on the NASDAQ.

The Complainant is the owner of trademark registrations for COMSCORE, including:

- United States Trademark Registration No. 2556866, COMSCORE, registered on April 2, 2002; and
- United States Trademark Registration No. 7090764, COMSCORE, registered on June 27, 2023.

The Complainant is also the registrant of the domain name <comscore.com>, which resolves to its primary corporate website.

The disputed domain names were registered on January 13, 2025.

The disputed domain names <comscore.city>, <comscore.network>, <comstore.skin>, and <comstore.team> resolve to websites that purport to be drop shipping online shopping platforms selling various goods, including clothing and apparel, electronics, food and beverages, and stationery.

The disputed domain names <comscore.center>, <comscore.cheap>, <comscore.golf>, <comscore.ink>, <comscore.site>, and <comscore.space> do not resolve to active web pages.

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.

The Complainant asserts rights in the COMSCORE trademark. The Complainant submits that the disputed domain names are identical to its trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant submits that the disputed domain names were registered with a view to trading on the Complainant's name. The Complainant asserts that no permission has been granted for the Respondent to make use of the Complainant's name or trademark. The Complainant argues that the disputed domain names are not being used in connection with a bona fide offering of goods or services.

The Complainant submits that the disputed domain names were registered and are being used in bad faith. The Complainant asserts that by using the disputed domain names, the Respondent has attentively attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites and the products listed on the Respondent's websites. In the case of those disputed domain names that do not resolve to active websites, the Complainant argues that where domain names are

registered to create confusion with another's trademark, then they are considered to be registered and used in bad faith.

The Complainant requests transfer of the disputed domain names.

B. Respondent

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

6. Discussion and Findings

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (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 were 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 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 Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

As noted above, a number of the disputed domain names resolve to websites that purport to be drop shipping online shopping platforms. The Complainant asserts that the use of the COMSCORE mark in the disputed domain names and on the websites has the effect of misleading Internet users to the Respondent's commercial gain and may be a pretense for fraudulent online activities. The Panel, having reviewed the websites to which the disputed domain names <comscore.city>, <comscore.network>, <comstore.skin> and

<comstore.team> resolve (at the time of this Decision), notes that there is no specific contact information on the Respondent's websites (only generic email addresses), and that when trying to access the websites the Panel was faced with a number of warning messages flagging the websites as dangerous sites. In the absence of any submissions or evidence from the Respondent, the Panel infers that the Respondent has sought to attract Internet users to its websites making unauthorized use of the Complainant's trademark for commercial gain. In the surrounding circumstances, such use does not amount to a bona fide offering of goods or services pursuant to paragraph 4(c)(i) of the Policy. Nor does the Respondent's non-use of the disputed domain names <comscore.center>, <comscore.cheap>, <comscore.golf>, <comscore.ink>, <comscore.site> and <comscore.space> support such a claim.

Based on the available record, there is no evidence to suggest that the Respondent is commonly known by the disputed domain names within the meaning of paragraph 4(c)(ii) of the Policy.

The Panel further considers that in light of the composition of the disputed domain names themselves, being identical to the Complainant's trademark, the disputed domain names carry a high risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. The Panel finds that the Respondent is not making any legitimate noncommercial or fair use of the disputed domain names under paragraph 4(c)(iii) of the Policy.

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.

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.

The Complainant's COMSCORE trademark is widely known and predates the Respondent's registration of the disputed domain names by over 20 years. The Panel infers that the Respondent knew of the Complainant and its rights when registering the disputed domain names. By registering ten domain names, each identical to the Complainant's COMSCORE trademark, the Respondent has engaged in a pattern of registering domain names to prevent the Complainant from reflecting its trademark in corresponding domain names, in bad faith pursuant to paragraph 4(b)(ii) of the Policy.

The Panel further notes that a number of disputed domain names (at the time of this Decision, the disputed domain names <comscore.city>, <comscore.network>, <comstore.skin>, and <comstore.team>) resolve to websites that purport to be drop shipping platforms. The Panel accepts the Complainant's submission that by using the disputed domain names in such a manner, the Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites and the goods offered for sale therein, in bad faith under paragraph 4(b)(iv) of the Policy.

As for those disputed domain names that do not resolve to active web pages (at the time of this Decision, the disputed domain names <comscore.center>, <comscore.cheap>, <comscore.golf>, <comscore.ink>, <comscore.site>, and <comscore.space>), prior UDRP 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. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes that the Complainant enjoys a longstanding reputation in its COMSCORE trademark, that the Respondent did not come forward to file a Response or to provide any evidence of actual or contemplated good-faith use of the disputed domain

names, that the Respondent registered the disputed domain names using a privacy service, and that in light of the composition of the disputed domain names, there is no apparent plausible good-faith use to which the disputed domain names could be put that would not have the effect of misleading Internet users. In the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The fact that some of the disputed domain names resolve to warning pages flagging the websites as dangerous sites further supports a finding of bad faith.

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 <comscore.center>, <comscore.cheap>, <comscore.city>, <comscore.golf>, <comscore.ink>, <comscore.network>, <comscore.site>, <comscore.skin>, <comscore.space>, and <comscore.team> be transferred to the Complainant.

/Jane Seager/

Jane Seager

Sole Panelist

Date: May 14, 2025