

## **ADMINISTRATIVE PANEL DECISION**

Avago Technologies International Sales Pte. Limited v. Crowd Consulting Pte. Ltd.

Case No. D2025-1281

### **1. The Parties**

The Complainant is Avago Technologies International Sales Pte. Limited, Singapore, represented by Quarles & Brady LLP, United States of America.

The Respondent is Crowd Consulting Pte. Ltd., Singapore.

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

The disputed domain name <broadom.com> is registered with Sav.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 28, 2025. On March 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 31, 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 (Handle: 166127, Name: Redacted For Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 1, 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 April 3, 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 April 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 6, 2025.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on May 13, 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 in this administrative proceeding is a global technology company that produces, among other things, category-leading semiconductor and infrastructure software solutions. The Complainant's connectivity technologies include a broad portfolio of integrated semiconductor chips that deliver voice, video, data, and multimedia connectivity at home, in the office, and in mobile environments. The Complainant also provides computer and communications hardware and software design and technology consulting services.

The Complainant, through its affiliates, licensees and predecessors, began using its BROADCOM trademark at least as early as November 7, 1994. The Complainant widely uses the BROADCOM trademark in its marketing and advertising materials, including on social media sites.

The Complainant is, inter alia, the owner of the following:

United States of America trademark registration number 2,132,930 for the BROADCOM (word) trademark, registered on January 27, 1998;

United States of America trademark registration number 5,337,633 for the BROADCOM (word) trademark, registered on November 21, 2017;

United States of America trademark registration number 4,037,851 for the BROADCOM (word) trademark, registered on October 11, 2011.

The disputed domain name was registered on November 2, 2024.

Currently the disputed domain name redirects to several destinations. Each time the disputed domain name is typed in the browser, it resolves to a different website. From the assertions and submissions of the Complainant, i.e., a screenshot of a page to where the disputed domain name resolved, it appears that the disputed domain name used to resolve to different websites which (potentially) deployed malicious code on the user's device.

Having regard to the above background and in accordance with the position noted in paragraph 4.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, ("[WIPO Overview 3.0](#)") the Panel has performed limited factual research to assist it in determining the use of the disputed domain name.

The Panel has thus verified that the disputed domain name resolves to several websites, some of them inviting the user to follow links which may lead to the installation of disruptive adware or other harmful software on the user's devices.

#### **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 incorporates the Complainant's trademark with one letter removed (the letter "c"), in a clear case of "typo-squatting", and that this does not avoid confusing similarity between the disputed domain name and the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the Respondent uses the disputed domain name to redirect to several malicious destinations in an attempt to install malware or other harmful software on user devices. The Complainant further asserts that by registering the disputed domain name, which misspells the Complainant's trademark, the Respondent has demonstrated knowledge of and familiarity with the Complainant's well-known brand and business.

## **B. Respondent**

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

## **6. Discussion and Findings**

In order for the Complainant to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainant must demonstrate to the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is 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 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 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 disputed domain name contains the Complainant's BROADCOM trademark with the removal of the letter "c", and the generic Top-Level Domain ("gTLD") ".com". In this sense, [WIPO Overview 3.0](#), section 1.9 states: "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." The gTLD suffix is generally disregarded under the test for confusing similarity for the purposes of the Policy as it is viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.

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.

Panels have held that the use of a domain name for illegal activity, here claimed as distributing malware and/or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

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.

Owing to the distinctiveness of the Complainant’s trademark and reputation, the misspelling nature of the disputed domain name, and the location of the Respondent, who is apparently located only a few kilometres from the Complainant’s headquarters in Singapore, where the latter has had a significant presence for many years, it is reasonable to infer that the Respondent registered the disputed domain name with full knowledge of the Complainant and its trademark, and so the Panel finds on the balance of probabilities that the Respondent was aware of the Complainant’s trademark when registering the disputed domain name.

The disputed domain name apparently resolves to several websites, some of them inviting the user to follow links which may lead to the installation of disruptive adware or other harmful software on the user’s devices.

Panels have held that the use of a domain name for illegal activity as in this case, here allegedly for distributing disruptive adware or other harmful software constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Furthermore, panels have consistently found that the mere registration of a domain name that is almost identical (particularly domain names comprising typos) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Finally, the Panel notes that the Respondent’s failure to respond to the Complainant’s assertions made in this proceeding regarding its bad faith in registering and using the disputed domain name is further inference of bad faith use and registration of the disputed domain name.

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 <broadom.com> be transferred to the Complainant.

*/Fabrizio Bedarida/*

**Fabrizio Bedarida**

Sole Panelist

Date: May 27, 2025