

ADMINISTRATIVE PANEL DECISION

Intuit Inc. v. Mandeep Mann, OSR Software Pvt Ltd
Case No. D2025-1499

1. The Parties

The Complainant is Intuit Inc., United States of America (“United States”), represented by Fenwick & West, LLP, United States.

The Respondent is Mandeep Mann, OSR Software Pvt Ltd, India.

2. The Domain Name and Registrar

The disputed domain name <quickbooks2025.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 April 11, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 14, 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 April 15, 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 16, 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 8, 2025.

The Complainant sent an email communication to the Center on April 17, 2025, with the Amended Complaint which identified the Respondent and a request to add an additional domain name to the Complaint. The Center replied on April 22, 2025, to which the Complainant responded by email of April 23, 2025.

The Center appointed Alfred Meijboom as the sole panelist in this matter on May 16, 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 was founded in 1983, and is a global financial technology company and provider of business and financial management software and online solutions. The Complainant has currently over 16,000 employees worldwide, 16 locations in 7 countries, revenues of USD 16.3 billion and serves approximately 97 million individual and business customers. The Complainant has over 7 million customers that use its QUICKBOOKS software globally.

The Complaint has numerous trademark registrations for QUICKBOOKS and QB (both as a word and device mark), including

- United States trademark QUICKBOOKS with registration number 1719357 of September 22, 1992 for goods in class 9;
- Indian trademark QUICKBOOKS with registration number 765508 of April 16, 2005 for goods in class 9; and
- International registration for QB with registration number 1424657 of April 19, 2018 for goods and services in classes 9, 35, 36, 41 and 42, which inter alia designates Australia, China, India, Japan and the Republic of Korea.

Additionally, the Complainant owns over 500 domain names which incorporate “quickbooks”, most of which were registered well before registration of the disputed domain name.

The disputed domain name was registered on September 13, 2022 and resolves to a website which offers “QuickBooks Upgrade to 2025” for sale, and displays the Complainant’s QUICKBOOKS and QB marks as well as similar identifiers.

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 fully incorporates the Complainant’s QUICKBOOKS mark in its entirety and is confusingly similar to it, whereas the addition of “2025” to the QUICKBOOKS mark is non-distinctive.

According to the Complainant, the Respondent does not have rights or legitimate interests in connection to the disputed domain name because the Respondent is not commonly known by the disputed domain name and it was not authorized or licensed any rights in the Complainant’s trademarks. The Respondent is also not an authorized vendor, supplier, or distributor of the Complainant’s goods and services. The Complainant contends that the Respondent’s lack of rights or legitimate interest is also evident because the Respondent does not use the disputed domain name in connection with a bona fide offering of goods or services or legitimate noncommercial or fair use as the disputed domain resolves to a website that is designed to mislead users into believing that the site is provided by, affiliated with, or sponsored by the Complainant.

According to the Complainant, the Respondent's website shows that it is intentionally using the disputed domain name and other features associated with the Complainant to trade on the Complainant's fame and reputation, and to further mislead users into thinking the site is related to the Complainant, the Respondent intentionally uses the Complainant's QUICKBOOKS and QB marks throughout the website.

The Complainant asserts that the Respondent clearly registered and is using the disputed domain name in bad faith. According to the Complainant there is no doubt that the Respondent was fully aware of the Complainant's QUICKBOOKS and QB marks when the Respondent registered the disputed domain name. The disputed domain name contains the QUICKBOOKS mark, and the Respondent uses the disputed domain name to resolve to a website that contains text intended to mislead users into believing that the website is authorized by or affiliated with the Complainant, including by using the QUICKBOOKS and QB marks, displaying photos of the Complainant's products, and displaying numerous advertising descriptions for the Complainant's QUICKBOOKS software and services. The Complainant contends that the Respondent's bad faith is also evident from its actual knowledge of the Complainant's rights in the QUICKBOOKS and QB marks at the time of registering the disputed domain name given that the QUICKBOOKS and QB marks are well-known.

B. Respondent

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

6. The Complainant's request to add an additional domain name to the Complaint

In its email communication of April 17, 2025 the Complainant filed a request to add the domain name <quickproadvisor.us> to the Complaint, arguing that this domain name was also registered by the Respondent, whose identity the Complainant only learned a few days earlier, and basing its request on paragraph 10(e) of the Policy which authorizes the Panel to consolidate multiple domain names into a single dispute. In its reply of April 22, 2025 the Center informed the Complainant that, inter alia, the Center does not currently provide domain name dispute resolution services for ".us" domain names. In its response email of April 23, 2025 the Complainant referred to the Amended Complaint for dispute resolution filed with the Center on April 17, 2025. Since it is unclear whether the Complainant maintains its request to add an additional domain name to the Complaint, and has not expressly withdrawn its request, the Panel will address the request.

The Panel finds that the Complainant's request is inadmissible because the Center is not a provider for ".us" domain name disputes, and moreover ".us" domain names fall under a different dispute resolution policy, the usTLD Dispute Resolution Policy. The Panel therefore declines the addition of the ".us" domain name.

7. Discussion and Findings

The Respondent did not file a Response. However, as set out in section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), the consensus view of UDRP panels is that the respondent's default does not automatically result in a decision in favor of the complainant. The Complainant must still establish each of the three elements required by paragraph 4(a) of the Policy. Although the Panel may draw appropriate inferences from the Respondent's default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in this proceeding. Paragraph 14(b) of the Rules provides that, in the absence of exceptional circumstances, the panel shall draw such inferences as it considers appropriate from a failure of a party to comply with a provision or requirement of the Rules. The Panel finds that in this case there are no such exceptional circumstances.

Under the Policy, the Complainant must prove that:

- (i) the disputed domain name is 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 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.

Based on the available record, the Panel finds the first element of the Policy has been established as the QUICKBOOKS mark is wholly incorporated and recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the QUICKBOOKS trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The addition of the number "2025" 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.

More notably, the Respondent has not refuted the Complainant's allegations that the Respondent has not been commonly known by the disputed domain name, that the Respondent's use of the QUICKBOOKS mark was not authorized or licensed by the Complainant, and that the Respondent had not been an authorized vendor, supplier, or distributor of the Complainant's goods and services.

The Panel is further satisfied that the Respondent's use of the disputed domain name reverting to a website which offers "Quickbook2025" products for sale failed the Oki Data test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) already because, even if the "Quickbook2025" products offered on the Respondent's website were genuine Complainant's products, which is very improbable in light of the Complainant's arguments, the Respondent's website undisputedly does not disclose the relationship of the

Respondent and the Complainant, whereas the Respondent's website rather made the false impression that it was provided by, affiliated with, or sponsored by the Complainant, which does not constitute a bona fide offering of goods and services.

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.

In the present case, the Complainant convincingly argued that the QUICKBOOKS mark is well-known and that the Respondent, when it registered the disputed domain name, must have been aware of the QUICKBOOKS mark. Moreover, the Panel infers from the fact that the disputed domain name resolves to a website using the Complainant's QUICKBOOKS and QB marks and offering "Quickbooks 2025 financial software solutions" for sale, that the Respondent must have intentionally registered the disputed domain name with the QUICKBOOKS mark in mind. This constitutes registration of the disputed domain name in bad faith, and said offering of "Quickbook2025" products under the circumstances as set forth *infra* Section 7B also constitutes use of the disputed domain name in bad faith.

The Panel finds the third element of the Policy has also been established.

8. 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 <quickbooks2025.com> be transferred to the Complainant.

/Alfred Meijboom/

Alfred Meijboom

Sole Panelist

Date: May 27, 2025