

ADMINISTRATIVE PANEL DECISION

Accenture Global Services Limited v. David Rossi
Case No. D2025-1593

1. The Parties

The Complainants are Accenture Global Services Limited, Ireland, and Accenture Global Services GmbH, Switzerland, represented by McDermott Will & Emery LLP, United States of America.

The Respondent is David Rossi, United States of America.

2. The Domain Name and Registrar

The disputed domain name <gemacht-accenture.com> is registered with Wix.com Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 19, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 24, 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 (REDACTED FOR PRIVACY (DT) / Wix.com Ltd.) and contact information in the Complaint. The Center sent an email communication to the Complainants on April 25, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on April 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 April 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 22, 2025.

The Center appointed Indrek Eelmets as the sole panelist in this matter on May 27, 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 second Complainant, Accenture Global Services GmbH, is an affiliate and predecessor to the first Complainant, Accenture Global Services Limited (the Complainants are hereinafter referred to as the "Complainant").

The Complainant is a multinational management consulting, technology services and outsourcing services company, with offices and operations in more than 200 cities in 49 countries.

The Complainant began using the trademark ACCENTURE on January 1, 2001, and owns trademark registrations for ACCENTURE in numerous countries around the world, including:

- ACCENTURE – United States of America Trademark Registration No. 3,091,811 registered on May 16, 2006, covering classes 9, 16, 35, 36, 37, 41, and 42;
- ACCENTURE & Design – United States of America Trademark Registration No. 2,665,373, registered on December 24, 2002, covering services in Classes 35, 36, 41, and 42;
- ACCENTURE & Design – United States of America Trademark Registration No 7,258,092, registered January 2, 2024, covering goods and services in Classes 9, 35, 36, 37, 41, and 42.

The Complainant has submitted evidence of global recognition of the ACCENTURE mark, including rankings in international brand valuation reports and its inclusion in the Fortune Global 500 list.

The disputed domain name was registered on March 27, 2023, well after the Complainant's first use and registration of its ACCENTURE trademark. The disputed domain name resolves to a website that advertises business advisory and consulting services that directly compete with those of the Complainant, including "Business Advisory," "Technology Consulting," "Human Resources," and "Accounting Auditing," etc.

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.

The Complainant argues that the disputed domain name is confusingly similar to its trademark. The disputed domain name consists of the ACCENTURE trademark combined with the term "gemacht" (a German word meaning "made" in English) and a hyphen. The ACCENTURE mark is clearly recognizable within the disputed domain name, and the addition of the term "gemacht" fails to negate confusing similarity. As such, Internet users are highly likely to be confused or to assume that an association exists between the disputed domain name and the Complainant.

With respect to the second element, the Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with the Complainant, has never been authorized to use the ACCENTURE trademark, and is not commonly known by the disputed domain name. The disputed domain name resolves to a website that, according to the Complainant's investigation, may be fraudulent. The site displays email addresses using the disputed domain name (e.g., "@gemacht-accenture.com"), which appear to be invalid; a phone number (+91 [...]), which seems incomplete with only eight digits instead of the expected ten; and links that purport to lead to social media profiles but in fact redirect to the Registrar's own social media sites.

Finally, the Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith. Given the worldwide recognition of the ACCENTURE mark, the Respondent was likely aware of the Complainant's rights at the time of registration. The Complainant further contends that the Respondent is using the disputed domain name to mislead Internet users searching for the Complainant, thereby disrupting the Complainant's business and diverting users to a competing or deceptive website for commercial gain. The Respondent did not register the disputed domain name to offer genuine services but rather to intentionally mislead the public into believing that it is associated or affiliated with the Complainant. Such conduct constitutes registration and use of the disputed domain name in bad faith.

B. Respondent

The Respondent did not reply to the 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 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 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.

Although the addition of other terms, here "gemacht", 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.

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.

Based on the record of this case the Panel finds that:

- before notice to the Respondent of the dispute, the Respondent did not use the disputed domain name in connection with a bona fide offering of goods or services. [WIPO Overview 3.0](#), section 2.2.
- the Respondent has not been commonly known by the disputed domain name or a name correspondent to the disputed domain name. [WIPO Overview 3.0](#), section 2.3.
- the Respondent has not made a legitimate noncommercial or fair use of the disputed domain name. [WIPO Overview 3.0](#), section 2.5.

In view of the above, 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, given the wide use, distinctiveness, and strong reputation of the ACCENTURE trademark, the Panel finds it highly unlikely that the Respondent registered the disputed domain name without prior knowledge of the Complainant's mark.

The Respondent has provided no credible explanation for its choice of the disputed domain name, nor is there any immediately apparent legitimate reason for incorporating the well-known ACCENTURE mark into the disputed domain name. The disputed domain name resolves to a website offering services that directly compete with those of the Complainant. This strongly suggests that the Respondent was aware of the Complainant's trademark and intended to exploit its reputation. Such conduct gives rise to a presumption of bad faith registration and use, as the only plausible rationale is to create a likelihood of confusion with the Complainant and its ACCENTURE mark.

Accordingly, the Panel finds that the Respondent registered and is using the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website by the Complainant. Paragraph 4(b)(iv) of the Policy and [WIPO Overview 3.0](#), section 3.1.4.

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 <gemacht-accenture.com> be transferred to the Complainant.

/Indrek Eelmets/

Indrek Eelmets

Sole Panelist

Date: June 10, 2025