

ADMINISTRATIVE PANEL DECISION

Brookson Group Limited v. 林雪

Case No. D2025-1665

1. The Parties

The Complainant is Brookson Group Limited, United Kingdom, represented by Akerman LLP, United States of America (“United States”).

The Respondent is 林雪, Hong Kong, China.

2. The Domain Names and Registrar

The disputed domain names <bestbrookson.one>, <best-brooksonone.com>, <brook-son-one.co>, <brooksonone.co>, <brook-son-one.com>, <brook-sonone.com>, <brook-son-one.net>, <brooksonone.org>, <brooksonv2.com>, <brooksonv3.com>, <brooksonv5.com>, <brook-son-1.com>, <brookson1.com>, <brookvson1.com> and <buybrooksonone.com> are registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 22, 2025. On April 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 30, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on May 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 May 1, 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 May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 30, 2025.

The Center appointed Anne-Virginie La Spada as the sole panelist in this matter on June 4, 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 active in the accounting, financial, and legal services industry, and assists contractors, freelancers, consultants, and self-employed individuals across various industries with managing their limited companies by providing accountancy, payroll, financial, and legal consultancy services.

Among other registrations, the Complainant owns the United Kingdom trademark registration for BROOKSON, No UK00003213975 registered on May 12, 2017, in classes 35, 36, and 45.

The Complainant owns and operates its official website under the domain name <brooksonone.co.uk>.

The disputed domain names were registered between September 19, 2024 and February 20, 2025 by the Respondent.

The disputed domain names <brooksonv5.com>, <brook-son-one.net>, <brook-son-1.com>, and <best-brooksonone.com> used to resolve to a login page reproducing the Complainant's official website, trademark, and logo. The other disputed domain names did not appear to resolve to active websites.

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.

Notably, the Complainant contends that the disputed domain names are confusingly similar to its well-known BROOKSON trademark as they identically reproduce the denomination "brookson". The mere addition of generic terms such as "best", "buy", "v2", or "v3" do nothing to avoid confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain names for the following reasons: (i) the Respondent does not own a trademark registration that is identical to any of the disputed domain names; (ii) the Respondent is not commonly known by the disputed domain names or the name "Brookson"; and (iii) the Respondent has not made a legitimate noncommercial or fair use of the disputed domain names.

Finally, the Complainant contends that the Respondent has used and registered the disputed domain names in bad faith. According to the Complainant, the Respondent registered the 15 disputed domain names in bad faith for commercial gain and to benefit from the goodwill and notoriety associated with the Complainant's trademark and domain name. By using the entirety of the Complainant's trademark and imitating the Complainant's website, the Respondent engaged in a phishing scheme aimed at deceiving the Respondent's clients into disclosing their confidential login information. Such phishing activities are assimilated to acts of bad faith. Furthermore, the Respondent's bad faith registration and use of the 15 disputed domain names are also established by the likelihood that Internet users will mistakenly believe that the disputed domain names are connected to, associated with, or endorsed or sponsored by the Complainant. The foregoing demonstrates according to the Complainant that the Respondent intentionally registered the disputed domain names for the purposes of confusing consumers and attempting phishing activities. The Respondent's selection of the disputed domain names only served the illegitimate purpose of creating confusion with the Complainant's trademark and domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, a complainant must assert and prove each of the following:

- (i) the domain name registered by the respondent 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 domain name; and
- (iii) the domain name registered by the respondent 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 names. 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 mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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 "one", "1", "best", "buy", "v2", "v3" and "v5") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The same may be said of the presence of a hyphen between the elements "brook" and "son" of the Complainant's trademark in some of the disputed domain names. The hyphen does not prevent a finding of confusing similarity. Finally, one of the disputed domain names includes a misspelling of the Complainant's trademark, namely <brookvson1.com>. The presence of the letter "v" in the middle of the term "brookson" does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.9.

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 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.

In the present case, the Panel observes that some of the disputed domain names carry a risk of implied affiliation with the Complainant, as they combine the Complainant's trademark with the terms "one", "1", "best", "buy", "v2", "v3" or "v5", which are likely to suggest sponsorship, affiliation, or endorsement by the trademark owner, and/or that the disputed domain names in question corresponds to an official website, particularly since the Complainant itself operates a domain name incorporating the term "one". See [WIPO Overview 3.0](#), section 2.5.1.

Furthermore, the Respondent does not appear to have operated any bona fide or legitimate business under the disputed domain names and is not making a noncommercial or fair use of the disputed domain names. Instead, the disputed domain names <brooksonv5.com>, <brook-son-one.net>, <brook-son-1.com>, and <best-brooksonone.com>, resolved to a website impersonating the Complainant, which in the Panel's view demonstrates an obvious attempt on the part of the Respondent to mislead Internet users seeking the Complainant's services and website.

The other disputed domain names do not resolve to active websites.

Accordingly, the Respondent's use of the disputed domain names does not constitute 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.

In the present case, the Panel notes that the Respondent used the Complainant's logo and trademark on the websites connected to the disputed domain names <brooksonv5.com> <brook-son-one.net>, <brook-son-1.com>, and <best-brooksonone.com> and that the trademark BROOKSON, has been used well before the registration of the disputed domain names. The Panel finds it unlikely that the disputed domain names were chosen independently without reference to the Complainant's trademark. The Panel therefore accepts that the Respondent was aware of the existence of the Complainant and of its BROOKSON trademark at the time of the registration of the disputed domain names.

Some of the disputed domain names were used in connection with active websites purporting to be official websites of the Complainant and displaying the logo of the Complainant. By using the disputed domain names in such manner, the Respondent tried to pass off as the Complainant. The Panel finds that in acting so, the Respondent intentionally attempted to attract, for the purposes of commercial gain, Internet users looking for the Complainant's official websites, by creating a likelihood of confusion with the Complainant's mark as to the source and affiliation of these websites. Such behaviour constitutes use in bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate activity, such as phishing, impersonation/passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Under these circumstances, the Panel considers it likely that the Respondent intended to use the disputed domain names as a support for a potential fraudulent scheme, namely to impersonate the Complainant, and extract personal or financial data or login credentials from Internet users visiting his website. Previous UDRP panels have founds that such behavior amounts to use of a domain name in bad faith (see *Marriott*

International, Inc., Marriott Worldwide Corporation and The Ritz-Carlton Hotel Company, LLC v. Van C Bethancourt Jr., Andre Williams, WIPO Case No. [D2018-2428](#), and *Accor v. Sangho Heo, Contact Privacy Inc.*, WIPO Case No. [D2014-1471](#)).

The other disputed domain names do not seem to have been used in connection to active websites. However, given that these disputed domain names were registered approximately at the same time as the above mentioned disputed domain names by the Respondent (which were used in connection with active websites reproducing the BROOKSON trademark, and creating confusion with the Complainant's services), it is likely that these disputed domain names were registered for the same bad faith purpose. Therefore, the passive holding of these disputed domain names does not prevent a finding of bad faith under the circumstances of this case. [WIPO Overview 3.0](#), section 3.3.

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 <bestbrookson.one>, <best-brooksonone.com>, <brook-son-one.co>, <brooksonone.co>, <brook-son-one.com>, <brook-sonone.com>, <brook-son-one.net>, <brooksonone.org>, <brooksonv2.com>, <brooksonv3.com>, <brooksonv5.com>, <brook-son-1.com>, <brookson1.com>, <brookvson1.com>, <buybrooksonone.com> be transferred to the Complainant.

/Anne-Virginie La Spada/

Anne-Virginie La Spada

Sole Panelist

Date: June 18, 2025