

ADMINISTRATIVE PANEL DECISION

Cisco Technology, Inc. v. Domain Manager, Dealer Direct, Inc.
Case No. D2025-1694

1. The Parties

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

Respondent is Domain Manager, Dealer Direct, Inc., United States, internally represented.

2. The Domain Name and Registrar

The disputed domain name <ciscodirect.com> (hereinafter “Disputed Domain Name”) 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 26, 2025. On April 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On the same day, 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, DomainsByProxy.com) and contact information in the Complaint. The Center sent an email communication to Complainant on April 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on May 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 Respondent of the Complaint, and the proceedings commenced on May 7, 2025. In accordance with the Rules, paragraph 5, the initial due date for Response was May 27, 2025. Upon the request of the Parties, the case was suspended on May 15, 2025, for exploring settlement options. Thereafter, upon the request of the Parties, the case was reinstituted on June 17, 2025.

The Response was filed with the Center on June 27, 2025.

On July 9, 2025, Complainant submitted a request to submit a Supplemental Filing with the proposed "Complainant's Reply to Response" attached.

The Center appointed Lawrence K. Nodine, Georges Nahitchevansky, and Colin T. O'Brien as panelists in this matter on August 15, 2025. The Panel finds that it was properly constituted. Each member of 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.

On August 21, 2025, the Panel issued a Panel Order that accepted the Reply and gave Respondent leave to submit by August 26, 2025, comments limited to responding to Complainant's Supplemental filing. Prompted by a reminder that the Center sent, Respondent submitted an email regarding the Panel Order on September 2, a week after the due date for a response to Complainant's Supplemental filing.

4. Factual Background

Complainant, a California corporation, owns the trademarks upon which this case is based. It licenses those trademarks to Cisco Systems, Inc., a Delaware corporation, a public company traded on NASDAQ and listed in the Dow Jones Industrial Average, and employs more than 75,000 worldwide. In this decision, references to Complainant refer to all the related CISCO companies.

Complainant owns trademark registrations for the CISCO mark in many jurisdictions, including United States trademark registration Number 1,542,339 (Registered June 6, 1989). Complainant also owns several domain names, including <cisco.com>.

The Disputed Domain Name was registered January 17, 1997. It currently redirects to <bizco.com>, the website for Bizco Technologies, which has offices in Nebraska, United States, and Florida, United States. The registrant's email for the Disputed Domain Name is [...]@bizco.com and Bizco's principal using the email [...]@bizco.com filed Respondent's Response to the Complaint.

Bizco Technologies is an integrator of IT, communications, and AV solutions that "collaborate[s] with industry-leading technology providers, some of whom are identified in a scrolling list of brands including Dell, HP and Apple." Complainant is not included in the scrolling list.

As explained in more detail below, at least as early as 2001, Bizco Technologies purported to be a reseller of CISCO products, but Complainant is not currently listed among the brands promoted on the Bizco Technology website.

5. Parties' Contentions

A. Complainant's Amended Complaint

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Complainant notes that several prior UDRP decisions have ruled that the mark is well known or famous for purposes of the Policy. See, e.g. *Cisco Technology, Inc. v. Ross Mueller*, WIPO Case No. [D2007-1575](#); *Cisco Technology, Inc. v. Matthew Archer, International Computer Purchasing Ltd*, WIPO Case No. [D2012-0563](#).

Complainant claims that it has never authorized, licensed, or otherwise permitted use of its registered CISCO trademark by Respondent as a name, mark, domain name or otherwise.

B. Respondent's Response

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

Respondent asserts that it has used the Disputed Domain Name for years without any complaint by Complainant.

Respondent asserts that the Disputed Domain Name "is currently used to host website content for Cisco fishing lures, a business that holds a valid trademark for 'Cisco' in connection with fishing lures." Respondent references United States Trademark Registration No. 1,809,362 for CISCO KID registered in 1993 for "fishing lures". This registration is owned by a third party not Respondent.

C. Complainant's Supplemental Filing

In its Supplemental Filing, Complainant contends that Respondent's assertion that the Disputed Domain Name is used in connection with CISCO fishing lures is false and misleading. Complainant asserts that "[a]ll available Internet Archive records for the Domain show that it has **never** been used in connection with a website featuring content for fishing lures." Complainant submits Internet Archive evidence that the Disputed Domain Name has "has at all times been used to either redirect users to a website (Bizco.com) that provides competing products and services or used to directly sell competing products and services."

D. Respondent's Supplemental Filing

In its Supplemental Filing, which was not certified and a week late, Respondent repeated its contention that Complainant has not complained previously about Respondent's use of the Disputed Domain Name and further asserted "We have invested over \$30,000 in holding cost alone on this domain." Respondent did not substantiate its prior contention that the Disputed Domain Name was being used in connection with CISCO fishing lures.

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 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.

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. The addition of "direct" 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. See also *F. Hoffmann-La Roche AG v. Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org / Conan Corrigan*, WIPO Case No. [D2015-2316](#).

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 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent 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.

Complainant’s evidence demonstrates Respondent has been (and is) redirecting the Disputed Domain Name to the domain name <bizco.com>¹ where the associated website purports to offer managed IT, audio visual and mobility services. The current website at the domain name <bizco.com> claims to partner with companies such as Dell, HP, Apple and Panasonic to provide products and services similar to those offered by Complainant, such as video conferencing, video projection, audio signal processing, video streaming.

Complainant’s Internet Archive evidence demonstrates that soon after it registered the Disputed Domain Name, Respondent purported to act as a reseller of Complainant’s products.² Complainant submits an Internet Archive screenshot of the March 9, 2001, website associated with the Disputed Domain Name. The Panel visited the cited Internet Archive record which redirects to <bizcotech.com>. At this site the Panel followed the “Support” link to a page that stated “Bizco’s trained and certified Systems Engineers will provide planning, deployment, migration and integration of Microsoft, Novell, Citrix, **Cisco**, Lucent, SAN products ...” The “Hardware” link leads to another page that states:

Bizco Technologies is a full service reseller of many of today’s top technology manufacturers. We represent companies like:

- | | |
|-------------------|-----------|
| ▪ IBM | ▪ EMC |
| ▪ Compaq | ▪ Lexmark |
| ▪ Hewlett Packard | ▪ Okidata |
| ▪ Cisco | ▪ Toshiba |
| ▪ Avaya | |

Based on this evidence, the Panel assumes that Respondent was a legitimate reseller of Complainant’s products at least as early as 2001. However, Respondent’s use of the Disputed Domain Name did not comply with *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) primarily because Respondent used the Disputed Domain Name to attract Internet users to pages that promote not only Complainant’s products, but also several of its competitors. [WIPO Overview 3.0](#), section 2.8.1 (*Oki Data* test requires that “the respondent must use the site to sell only the trademarked goods or services”).

¹ In some cases noted below, Respondent redirected to <bizcotech.com>, which the Panel assumes that Respondent also owned or controlled.

² It is not clear if or when Respondent stopped offering Complainant’s products.

At some point, Respondent stopped stating that it represented and was a reseller of Complainant's products. The Disputed Domain Name currently redirects to the <bizco.com> webpage that states that "We're proud Partners with the Industry's Best" followed by a scrolling list of prominent technology companies such as Dell and HP. Unlike the websites published in prior years, Complainant is not listed among Respondent's "partners". Respondent nonetheless continues to redirect the Disputed Domain Name to the <bizco.com> website which promotes brands of Complainant's competitors. If Respondent currently resells Complainant's products or has some other legitimate business relationship with Complainant, Respondent's current use would still fail the *Oki Data* test, not only because the Disputed Domain Name uses the website to promote competitor products, but also because the site does not "accurately and prominently disclose the registrant's relationship with the trademark holder..." *Id.*

Accordingly, the Panel finds that Respondent's current and historical use of the Disputed Domain Name fails the *Oki Data* test.

In its first response, Respondent did not deny its use of the Disputed Domain Name in connection with IT services but instead asserted that it is "currently" using the Disputed Domain Name to offer CISCO fishing lures. The Panel accepted Complainant's supplemental filing, which disputed Respondent's fishing lure contention and offered extensive evidence from the Internet Archive showing that the Disputed Domain Name has consistently been used to redirect to a website at the domain name <bizco.com>. The Panel allowed Respondent an opportunity to respond and substantiate its fishing lure contention. A week after the due date for filing a supplemental filing, Respondent submitted a cursory email that did not offer any evidence or argument relating to the fishing lure contention. The Panel is not persuaded that Respondent uses, or has ever used, the Disputed Domain Name in connection with the sale of CISCO fishing lures or that Respondent has any connection to the company that created and owns this fishing lure.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Given the findings in the previous section, it is reasonable to infer, and the Panel finds, based on the balance of probabilities, that when it registered the Disputed Domain Name Respondent was fully aware of Complainant and its CISCO mark. Clearly, Respondent registered the Disputed Domain Name to promote its "direct sales" of Complainant's products. Similarly, it is more likely than not that Respondent intended when it registered the Disputed Domain Name to use it in connection with its efforts to promote its business generally, which is to say that Respondent did not intend to confine its use of the Disputed Domain Name "to sell only the trademarked goods or services" as *Oki Data* requires. None of the Internet Archive snapshots reflect any effort at any time to restrict use of the Disputed Domain Name to promotion of only Complainant's products. All the evidence indicates that Respondent consistently used the Disputed Domain Name to redirect Internet users to the website at the domain name <bizco.com>, a site that promoted the services of Bizco Technologies and which also promoted Complainant's competitors. Registration and use of the Disputed Domain Name for this purpose constitutes bad faith.

Although the Panel relies on Internet Archive evidence from 2001, which is four years after the Disputed Domain Name was registered, the Panel finds, based on the balance of probabilities, that Respondent's intent and use in 1997 was consistent with the 2001 evidence. Several other factors support this finding.

UDRP panels have consistently found that the registration of a domain name that is confusingly similar (particularly domain names incorporating the mark plus a descriptive term) to a famous or widely-known trademark can by itself create a presumption of bad faith. See [WIPO Overview 3.0](#), section 3.1.4. Respondent did not deny Complainant's allegation that Complainant was well known in 1997 when Respondent registered the Disputed Domain Name.³ Given the nature of the Disputed Domain Name, which

³The Panel acknowledges that Complainant did not offer evidence of the extent of its reputation in 1997 and, further, that Complainant has not pointed to any prior decision that addresses this issue as of 1997. Nonetheless, the Panel considers Complainant's allegation of fame in 1997 plausible.

incorporates the entirety of the Mark along with the term “direct” which is often used to tout preferred access to an upstream suppliers products, combined with Respondent’s involvement in the same industry as Complainant, the Panel is satisfied that, at the time the Disputed Domain Name was registered, Respondent knew of and targeted Complainant and its mark.

Respondent asserts without substantiation that it is using the Disputed Domain Name in connection with fishing lures. This red herring reflects a lack of candor that undermines Respondent’s credibility and, ironically, is evidence that Respondent was aware of Complainant and perceived a need to conjure up an explanation for its conduct and went fishing for an excuse for its behavior.

Lastly, Respondent protests that almost thirty years have gone by since the Disputed Domain Name was registered. Panels have widely recognized that delay between the registration of a domain name and the filing of a complaint neither bars a complainant from filing such case, nor from potentially prevailing on the merits. “Panels have noted that the UDRP remedy is injunctive rather than compensatory, and that a principal concern is to halt ongoing or avoid future abuse/damage, not to provide equitable relief.” [WIPO Overview 3.0](#), section 4.17. Respondent has no basis to assert prejudice going forward because it does not, according to its current website, promote a relationship with Complainant and it certainly has no right to continue exploiting Complainant’s Mark to attract Internet users to a website promoting its competitors.

Furthermore, there is no evidence in the record suggesting that Complainant was ever aware of the Disputed Domain Name (such as a prior demand letter to Respondent, an objection to a registrar or hosting company or an attempt to purchase the disputed domain name). Moreover, Respondent’s use of the Disputed Domain Name was less conspicuous because Respondent redirected to the website at the domain name <bizco.com> website. In all, given the record before the Panel it appears that Respondent may have flown under the radar for thirty years and used the Disputed Domain Name for Respondent’s benefit without Complainant becoming aware of such until recently. To be sure, given that there are hundreds of millions of domain names that have been registered, such a possibility is certainly plausible. In all, given that there is no evidence that shows or suggests that Complainant was ever aware of the Disputed Domain Name until it filed the Complaint, and given Respondent did not provide anything to suggest otherwise, the Panel does not view the almost thirty-year delay in filing the Complaint as a bar to this proceeding.

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

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 <ciscodirect.com> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine
Presiding Panelist

/Georges Nahichevansky/

Georges Nahichevansky
Panelist

/Colin T. O’Brien/

Colin T. O’Brien
Panelist

Date: September 17, 2025