

ADMINISTRATIVE PANEL DECISION

New York University v. Name Redacted
Case No. D2025-1994

1. The Parties

The Complainant is New York University, United States of America (“United States”), represented by Fross Zelnick Lehrman & Zissu, PC, United States.

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <nybt.education> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 20, 2025. On May 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 21, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 27, 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 30, 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”).

¹The Respondent appears to have used the name of a third party when registering the Disputed Domain Name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 1, 2025.

The Center appointed William F. Hamilton as the sole panelist in this matter on July 22, 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 an educational institution established in New York City in 1831 as "University of the City of New York." In 1896, it changed its name to "New York University." Simultaneously, the Complainant began referring to and promoting itself using the acronym NYU. For over a century, the Complainant has consistently provided educational services under the NYU and NEW YORK UNIVERSITY trademarks at both undergraduate and graduate levels, as well as through online, extension, continuing education, and community programs. Today, the Complainant is one of the largest private universities in the United States and is regularly ranked among the most respected and reputable higher education institutions in the country. The Complainant offers 270 areas of study and 400 academic programs to its students. It now hosts nearly 20 different schools within the NYU educational system, offering courses across a wide range of disciplines, including NYU Stern School of Business, NYU School of Law, NYU Tisch School of the Arts, and NYU Rory Meyers College of Nursing.

The Complainant's main website, "www.nyu.edu", was established in 1995 and prominently uses the NYU and NEW YORK UNIVERSITY trademarks.

The Complainant's NYU and NEW YORK UNIVERSITY trademarks are used in materials promoting or providing the Complainant's educational services. These include, but are not limited to, admissions communications, brochures, course catalogs, degree program manuals, conference and seminar presentations, alumni magazines, and press releases, all of which are widely distributed to consumers worldwide.

The Complainant also owns United States federal trademark registrations for its NYU and NEW YORK UNIVERSITY trademarks in connection with various educational services and related merchandise, including:

- United States Reg. No. 3,770,376, registered in April 6, 2010 for NYU,
- United States Reg. No. 3,798,562, registered in June 8, 2010, for NEW YORK UNIVERSITY,
- United States Reg. No. 1,789,490, registered in August 24, 1993, for NYU,
- United States Reg. No. 1,792,693, registered in September 14, 1993, for NEW YORK UNIVERSITY.

The Respondent registered the disputed domain name <nybt.education> on January 24, 2025. The domain directs to a website offering various educational services and programs, prominently displaying the Complainant's NEW YORK UNIVERSITY trademarks. The Respondent has communicated with potential students using email addresses [...]@nybt.education. Other messages to potential and admitted students also prominently feature the Complainant's NEW YORK UNIVERSITY trademark. According to un rebutted evidence submitted in the Complaint, the Respondent is neither registered to do business in the State of New York nor has it sought or received approval from the New York State Education Department to operate a degree-granting institution in New York. The Respondent's so-called 'admissions' process appears to be designed to fraudulently solicit personal information and money from consumers seeking to further their educational careers.

5. Parties' Contentions

A. Complainant

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

Notably, the Complainant argues that the disputed domain name is confusingly similar to its marks because the marks are identifiable within the disputed domain name. The Complainant maintains that the Respondent has no rights or legitimate interests in the disputed domain name, and there is no evidence suggesting that the Respondent is commonly known by that name. Additionally, the Complainant contends that the Respondent is neither a licensee of the Complainant nor affiliated with the Complainant in any way. Furthermore, the Complainant claims that it has not authorized the Respondent to use the marks. Moreover, the Complainant argues that the disputed domain name was registered and used in bad faith for commercial gain, misleading Internet users into thinking that the Complainant endorses, is connected to, or sponsors the Respondent's website and its content.

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 to the NYU trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the NYU trademark is recognizable within the disputed domain name. The disputed name begins with the letters NY and ends with the term "bt," which is a common abbreviation for "business technology," followed by the Top-Level Domain "education," which describes the Complainant's services. The disputed domain name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Moreover, in this case, the Panel notes that the content of the website associated with the disputed domain name confirms confusing similarity because the Respondent seeks to target the Complainant's trademarks through the disputed domain name. [WIPO Overview 3.0](#), section 1.15. See also *The University of Houston System v. William Morocco, Kenneth Stone, Cole Brad*, WIPO Case No. [D2024-5016](#).

Although the addition of terms and letters in the disputed domain name may bear on the assessment of the second and third elements, the Panel finds that the addition of the letters "bt" within the disputed domain name does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's NYU trademark for the purposes of the Policy.

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 the 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.

The Respondent’s use of the disputed domain name to resolve to a website offering sham education services does not create any rights or legitimate interests in the disputed domain name. Under the facts and circumstances of this case, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent’s so-called university does not represent a bona fide business. *The University of Houston v. William Morocco, Kenneth Stone, Cole Brad*, WIPO Case No. [D2024-5016](#). Further, panels have held that the use of a domain name for illegal activity – here, claimed phishing, 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

Under paragraph 4(b) of the Policy, bad faith may be established by any one of the following scenarios:

(i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent’s documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the respondent’s website or location or of a product or service on the respondent’s website or location.

The Panel finds that the Respondent was aware of the Complainant’s marks and their associated goodwill when registering the disputed domain name. The Complainant’s marks are well-known. Panels have concluded that using a domain name for illegitimate and illegal activities, such as phishing, constitutes bad

faith. [WIPO Overview 3.0](#), section 3.4. The Respondent is trying to deceive Internet users into believing that the disputed domain name and the Respondent's website are connected to the Complainant's educational services. The Respondent prominently displays the Complainant's trademark, NEW YORK UNIVERSITY, on its website. Although the Respondent lacks an apparent physical location for its supposed educational services, it solicits personal information and payments from prospective and admitted students as part of a calculated phishing scheme. The Respondent has intentionally tried to attract Internet users to its website by using a confusingly similar disputed domain name and the Complainant's trademarks for commercial gain, creating confusion about whether the Complainant sponsors, is affiliated with, or endorses the Respondent's website and its content. *New York University v. Maria Hill, New York University of Business and Technology*, WIPO Case No. [D2020-1309](#).

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <nybt.education> be transferred to the Complainant.

/William F. Hamilton/

William F. Hamilton

Sole Panelist

Date: July 31, 2025