

ADMINISTRATIVE PANEL DECISION

University of Houston System v. Domain oe2pymnt, Domain oe2pymnt
Case No. D2025-2010

1. The Parties

The Complainant is University of Houston System, United States of America ("United States"), represented by Holland & Knight, LLP, United States.

The Respondent is Domain oe2pymnt, Domain oe2pymnt, Panama.

2. The Domain Name and Registrar

The disputed domain name <huot.university> is registered with DNC Holdings, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 20, 2025. On May 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 27, 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 (Jewella Privacy LLC Privacy ID# 14886019 / Jewella Privacy – 1f773) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 28, 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 amendment to the Complaint on May 28, 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 June 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 26, 2025.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on July 14, 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 a public institution of higher education of the State of Texas, United States, established in 1927.

The Complainant is the owner of various registered trademarks for UH, HOUSTON, and UNIVERSITY OF HOUSTON marks. For example, the Complainant owns the following:

United States Registered Trademark Number 747078 for the word mark UNIVERSITY OF HOUSTON, registered on March 19, 1963 in respect of educational services; United States Registered Trademark Number 3114675 for a mark comprising the letters UH in a stylized typeface, registered on July 11, 2006 in respect of a variety of merchandise; and United States Registered Trademark Number 5304391 for the word mark HOUSTON, registered on October 10, 2017 in respect of print materials and educational services.

Among others, the Complainant uses the domain name <uh.edu>, registered on June 16, 1987, for its official email addresses.

The disputed domain name was registered on February 19, 2025. The Complainant's screenshots dated May 9, 2025 of the website associated with the disputed domain name show a website for an alleged educational institution named "Houston University of Texas", indicating that the disputed domain name represents an abbreviation of such term. The said website uses the same red and white color scheme as that of the Complainant's official website, and seeks tuition fees, affirming a commercial purpose. The accreditations which are claimed on said website are based upon alleged accreditation websites which the Complainant states are not those of legitimate accreditation agencies, the corresponding domain names of which were all created on May 20, 2024, excepting one which was created on September 10, 2024. The Complainant provides a similar detailed analysis regarding these alleged accreditation agencies to that described by the panel in the case of *The University of Houston System v. William Morocco, Kenneth Stone, Cole Brad*, WIPO Case No. [D2024-5016](#), in which the Complainant prevailed, and which involved the domain names <huot.education>, <uoht.education>, and <uht.education>, which the Complainant says are related to the disputed domain name. For example, the Complainant notes that the website associated with the disputed domain name contains substantially the same content as the original content of the websites associated with the domain names <huot.education>, <uoht.education>, and <uht.education>, adding that the domain name for the alleged accreditation website created on September 10, 2024 was registered via the same registrar as that used for these domain names.

Although the registrant of the disputed domain name is a nominally different entity from the registrants of the domain names <huot.education>, <uoht.education>, and <uht.education>, the Complainant maintains that it is effectively under common control with those domain names due to the identical nature of the website content with that of the disputed domain name, adding that the Respondent has merely substituted the domain name <huot.education>, which the Complainant disputed in the said previous case, for the similarly-composed disputed domain name <huot.university> in the present case.

Little is known of the Respondent, which has not participated in the administrative proceeding, other than that it has provided a contact address for the disputed domain name in Panama. The Complainant issued a cease and desist notice to the Respondent dated May 6, 2025, but received no response.

The Complainant produces copies of correspondence dated April 22, 2025, April 28, 2025, May 2, 2025, May 5, 2025, and May 6, 2025 with three students. Key aspects of this correspondence purport to be from the Complainant when they are not. The Complainant asserts that this emanated from the Respondent. Such

correspondence indicates that the Respondent has attempted to extract tuition fees from students in the name of the Complainant's institution, notably using the disputed domain name to send an email containing a scholarship award letter and fee notice stamped "Houston University of Texas," allegedly signed by an official of "University of Houston, Texas" (i.e., the Complainant), and bearing the Complainant's UH registered trademark.

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 asserts its ownership of the trademarks noted in the factual background section, among others, and claims unregistered trademark rights through use of over 90 years in respect of the UH, HOUSTON, and UNIVERSITY OF HOUSTON marks in connection with educational goods and services, noting that it has advertised and marketed its family of marks through television, print media, and the Internet.

The Complainant asserts that the Respondent is not commonly known by any of the Complainant's marks, nor has it used the disputed domain name in connection with a bona fide offering of goods and services, or for a legitimate noncommercial or fair use. The Complainant adds that the disputed domain name was registered in early 2025 as a response to the Complainant's success in the case *The University of Houston System v. William Morocco, Kenneth Stone, Cole Brad, supra*, in which the Complainant asserts that the websites associated with the domain names concerned pointed to substantially the same content. The Complainant notes that the website associated with the disputed domain name provides identical or confusingly similar services to those provided by the Complainant. The Complainant adds that the communications with prospective students, as described in the factual background section above, indicate that confusion has arisen among such students due to the Respondent's conduct, adding that the Respondent has wrongfully obtained tuition fees from multiple students.

The Complainant asserts that the circumstances indicate that the Respondent registered the disputed domain name in bad faith to engage in unfair practices, adding that the website associated with the disputed domain name does not appear to be legitimate and seems to be taking tuition fees wrongfully from prospective students, and asserting that the use of a domain name for such an illegal practice cannot confer any rights upon the Respondent.

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.

It is unnecessary for present purposes for the Panel to make any findings regarding whether the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy.

The Panel respectfully adopts the analysis of the panel in *The University of Houston System v. William Morocco, Kenneth Stone, Cole Brad*, *supra* regarding the confusing similarity between the domain name <huot.education> and the Complainant's trademarks, noting that the disputed domain name in the present case is composed of an identical acronym in the second level, and that that panel found that abbreviations or acronyms for a trademark may be confusingly similar to that trademark for the purposes of the first element under the Policy. That panel also noted that where a panel would benefit from affirmation as to confusing similarity with the complainant's mark, the broader case context such as website content trading off the complainant's reputation may be factored into the first element analysis (see [WIPO Overview 3.0](#), section, section 1.15).

Here, the Panel finds that the content of the website associated with the disputed domain name trades off the Complainant's reputation, noting also that the Complainant makes the uncontradicted assertion that this content is identical to the content of the website associated with the domain names in the said previous case under the Policy, which assertion the Panel has no reason to disbelieve.

The applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

In light of the above analysis, the Panel finds that 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 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.

In particular, the evidence on the present record suggests that the disputed domain name is not being used in connection with a bona fide offering of goods or services, and on the contrary is being used to impersonate the Complainant's academic institution with a view to wrongfully extracting tuition fees from prospective students who may believe that they are dealing with the Complainant when they are not. There is no suggestion before the Panel that the Respondent has been commonly known by a name corresponding to the disputed domain name (and, in fact, the Complainant's evidence regarding the alleged accreditation agencies suggests the contrary). There is no evidence of any noncommercial or fair use of the disputed

domain name, and indeed the evidence regarding the Respondent's communications with prospective students indicates an intent to use the disputed domain name for a commercial purpose, in terms of wrongfully extracting tuition fees from confused individuals. Such use cannot confer rights or legitimate interests upon the Respondent within the meaning of the Policy.

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 disputed domain name bears to be an acronym for an alleged academic institution with a confusingly similar name to (and a similar acronym of) that of the Complainant's institution and appears to the Panel to be designed to confuse prospective students of the Complainant's institution. Furthermore, the Panel notes that the website associated with the disputed domain name bears to be that of an academic institution with alleged accreditations that do not appear to exist, and that the disputed domain name has been used for email allegedly awarding scholarships in the name of the Complainant's institution, under its UH registered trademark, and thereby seeking to extract tuition fees from prospective students who have been confused into believing that they are dealing with the Complainant when they are not.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation/passing off, constitutes use in bad faith. [WIPO Overview 3.0](#), section 3.4. 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 Respondent has failed to file a Response in the present case and has therefore provided neither submissions nor evidence which might have suggested an alternative (good faith) reason for its registration and use of the disputed domain name. The Complainant's allegations and substantive evidence regarding the use of the disputed domain name to impersonate the Complainant, for the purposes of wrongfully extracting tuition fees from prospective students, are serious in nature and call for an answer from the Respondent. No such answer has been tendered in this case. In all of these circumstances, the Panel can conceive of no possible submissions or evidence which the Respondent might have brought forward which would have indicated that the disputed domain name was registered and used in good faith.

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 <huot.university> be transferred to the Complainant.

/Andrew D. S. Lothian/

Andrew D. S. Lothian

Sole Panelist

Date: July 23, 2025