

ADMINISTRATIVE PANEL DECISION

Integrity, LLC v. Paul Eberhardt
Case No. D2025-2206

1. The Parties

Complainant is Integrity, LLC, United States of America (“United States”), represented by Zacco Sweden AB, Sweden.

Respondent is Paul Eberhardt, United States.

2. The Domain Name and Registrar

The disputed domain name <integritymarketinggroup.com> (the “Domain Name”) is registered with eNom, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 5, 2025. Also, on June 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. That same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on June 10, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on June 10, 2025.

The Center verified that the Complaint together with the amendment to the 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 June 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 3, 2025. The Response was filed with the Center on July 1, 2025.

The Center appointed Harrie R. Samaras as the sole panelist in this matter on July 10, 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

Complainant, Integrity, LLC, formerly known as Integrity Marketing Group, LLC, distributes life and health insurance in the United States and provides innovative solutions for wealth management and retirement planning. Complainant was founded in 2006 and it now has a broad partner network of agents and advisors and more than 6,000 employees. It owns U.S. Trademark Registration No. 5,140,654 (registered February 14, 2017) for the INTEGRITY MARKETING GROUP Mark (or the "Mark"). Before acquiring the <integrity.com> domain name in 2024, Complainant's primary corporate domain and website was <integritymarketing.com>.

The Domain Name was registered on February 16, 2020. It previously resolved to a holding webpage. It now does not resolve to any webpage. There is record evidence (a Skype chat) showing that Respondent used the Domain Name in an email possibly to impersonate someone affiliated with Complainant. Furthermore, on May 9, 2025, Complainant's representative sent a cease-and-desist letter to Respondent requesting that the Domain Name be removed from the Internet and transferred to Complainant, but Respondent did not respond.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that the Domain Name consists of the term "integritymarketinggroup", which is a confusingly similar misspelling of Complainant's Mark. Adding the generic Top-Level Domain ("gTLD") ".com" is irrelevant when determining the similarity between the Mark and the Domain Name.

Complainant also maintains that it has not given any license or authorization to Respondent to register or use the Mark as a domain name or otherwise, and that Complainant has found no information indicating that Respondent is somehow trading under any company name corresponding to the Domain Name or that it has any other legal rights to the name or the Mark. Furthermore, Respondent is not an authorized representative of Complainant's products or services, and has never had a business relationship with Complainant. Complainant also argues that Respondent is actively attempting to create the false impression that the Domain Name is somehow connected to or operated by Complainant.

The Domain Name was registered after Complainant registered the Mark. Given the aforementioned use of the Domain Name, Complainant claims that Respondent was fully aware of it when registering the Domain Name and that it was Complainant's well-known company and Mark that motivated Respondent to register and use the Domain Name. Claimant maintains that the registration and use of a domain name for such purposes as described above can never amount to legitimate use and is by nature in bad faith. And it points out that the typosquatted Domain Name can create a presumption of bad faith.

B. Respondent

Respondent responded to the Complaint in pertinent part admitting that: (1) he purchased the Domain Name; (2) he has owned the Domain Name since February 16, 2020; and (3) he has "not used this domain

much". Further, he claims that the Complaint is "rather vague and doesn't state any real violations that [he has] seen" and asked the Center for a response.

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.

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 Panel finds the Mark is recognizable within the Domain Name despite a minor misspelling – omitting a letter "g". Accordingly, the 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 Domain Name. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy or otherwise.

More specifically, Complainant has not given any license or authorization to Respondent to register or use the Mark as a domain name or otherwise, and Complainant is not aware of Respondent trading under any company name corresponding to the Domain Name or Respondent having any legal rights to the Domain Name or the Mark. Furthermore, Respondent is not an authorized representative of Complainant's products or services, and has never had a business relationship with Complainant. It appears that Respondent intentionally chose the Domain Name based on Complainant's Mark, merely dropping a letter "g", and has used the Domain Name in connection with sending fraudulent and unlawful messages to third parties in the name of Complainant.

Panels have held that the use of a domain name for illegal activity, here, claimed as attempting to create the false impression that the Domain Name is somehow connected to or operated by Complainant (impersonation/passing off) in furtherance of a fraudulent payment scheme, 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

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 Respondent chose to register as a Domain Name a mark that had been used and registered substantially before Respondent admits to registering the Domain Name. In doing so, he adopted an established trademark, merely omitting one letter (“g”) from the registered Mark – which in this case is a further indication of bad faith. It is more likely than not that Respondent knew of Complainant and the Mark when registering the Domain Name for those reasons. Furthermore, Respondent’s use of the Mark to impersonate Complainant is additional evidence that Respondent registered the Mark in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1. For example, Complainant’s representative sent Respondent a cease-and-desist letter, which Respondent never responded to. Also, Respondent claims that the Complaint is “rather vague and doesn’t state any real violations that [he has] seen,” however Respondent had the opportunity to seek clarification from Complainant upon receiving the cease-and-desist letter and receiving the Complaint and he failed to do so in either instance.

Panels have held that the use of a domain name for illegal activity, here, claimed as attempting to create the false impression that the Domain Name is somehow connected to or operated by Complainant (impersonating/passing off) in furtherance of a fraudulent payment scheme, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent’s registration and use of the Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 Domain Name <integritymarketinggroup.com> be transferred to Complainant.

/Harrie R. Samaras/

Harrie R. Samaras

Sole Panelist

Date: July 17, 2025