

ARBITRATION
AND
MEDIATION CENTER

## ADMINISTRATIVE PANEL DECISION

Bumble Holding Limited v. Abraham Levi, CrimsonTech Case No. D2025-2340

#### 1. The Parties

The Complainant is Bumble Holding Limited, United Kingdom, represented by Pinsent Masons LLP, United Kingdom.

The Respondent is Abraham Levi, CrimsonTech, United States of America ("United States").

#### 2. The Domain Name and Registrar

The Disputed Domain Name <bur>
stered
with Name SRS AB (the "Registrar").

#### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 13, 2025. On June 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 17, 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 (Unknown, Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 17, 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 June 19. 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 15, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on July 17, 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 Bumble Holding Limited, operating under the brand name BUMBLE. Established in 2014 by Whitney Wolfe Herd, the Complainant provides a leading location-based social networking and dating application that facilitates communication between interested users. With a global presence, the application has garnered over 100 million users worldwide and consistently ranks among the top ten lifestyle and top five grossing apps on both the App Store and Google Play. In 2021, the Complainant became a publicly traded company on NASDAQ. The Complainant's corporate structure includes various BUMBLE brands, emphasizing its prominence in the international tech industry.

In the financial year 2023/2024 the Complainant's revenue exceeded USD one billion. The Complainant has invested significant amounts in the advertising and marketing of its BUMBLE trademark, such as USD 207.7 million in 2022 and USD 221 million in 2023. The Complainant has received numerous accolades and recognitions in its field and is very active on social media.

The Complainant owns a large global portfolio of registered trademarks consisting of or incorporating BUMBLE, such as the following:

- United Kingdom registration number UK00003072396, filed on September 12, 2014, registered on January 16, 2015, for services in International classes 9, 38, 42, 45, and
- United Kingdom registration number UK00909121039, filed on May 20, 2010, registered on November 2, 2010, for goods and services in International classes 29, 30, 32, 35.

The Complainant owns domain names incorporating BUMBLE, including <bur>
stered in July 1997, and <bur>
shop> registered since February 2019.

The Disputed Domain Name was registered on September 16, 2024, and, at the time of filing the Complaint, it resolved to an error page.

#### 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 contends the following:

In addition to owning the BUMBLE registered trademarks, the Complainant has built up a substantial goodwill and gained a valuable reputation in the BUMBLE brand worldwide in relation to a wide variety of goods and services (with which the Complainant and no other is associated), in particular in online dating and social networking. The goodwill associated with the name "Bumble", is the property of the Complainant and cannot pass to any third party without a formal assignation. No such assignation in favour of the Respondent has taken place.

The Complainant contends that the Disputed Domain Name is confusingly similar with its trademark because it wholly incorporates the BUMBLE trademark at the start of it, with a minor addition of the word "live" at the end. It is well-accepted that the word "live" is a descriptive and generic term commonly used on social networking. Incorporating the term "live" within the Disputed Domain Name is an attempt to divert Internet traffic to promote the Respondent's services or to prevent the Complainant from reflecting its mark in a corresponding domain name.

Furthermore, the Complainant contends that the Respondent has no rights in relation to the Complainant's trademarks. The Complainant considers it reasonable to conclude that the Respondent registered the Disputed Domain Name to attract Internet users who are searching for the Complainant. Additionally, bearing in mind the significant reputation of the BUMBLE marks and the Complainant's operations, there is no believable or realistic reason for the registration or use of the Disputed Domain Name other than to take unfair advantage of the Complainant's trademark rights, its goodwill and reputation in the BUMBLE brand. The Complainant also considers that it is not possible for the Respondent to have acquired any legitimate right to use the Disputed Domain Name since its registration, or before.

The Disputed Domain Name has been registered in bad faith since the combination of the reputation of the Complainant's BUMBLE mark, and the near identity of the Disputed Domain Name to the BUMBLE mark with the additional descriptive term "live", will cause a false association between the Disputed Domain Name and the Complainant's BUMBLE mark, and will lead the average Internet user to believe that the Disputed Domain Name is owned by the Complainant. The Complainant submits that such an attempt on the part of the Respondent is to create confusion and to cash on/ride over the name, goodwill and reputation of the Complainant.

A finding of use in bad faith can be found when no website appears at the Disputed Domain Name and when the domain owner has taken steps to conceal its identity, which applies to this case.

The Complainant further submits that the Respondent has registered the Disputed Domain Name primarily for the purpose of disrupting and tarnishing the business of the Complainant.

## **B.** Respondent

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

#### 6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the Disputed Domain Name 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 the Disputed Domain Name; and
- (iii) the Disputed Domain Name 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 Name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. <u>WIPO Overview 3.0</u>, section 1.2.1.

The Panel finds the BUMBLE mark is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. <u>WIPO Overview</u> 3.0, section 1.7.

Although the addition of other term, here "live", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy. <u>WIPO Overview 3.0</u>, section 1.8.

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.

The composition of the Disputed Domain Name carries a risk of implied affiliation, reproducing the Complainant's mark together with the term "live", which is frequently used across social networking platforms. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. WIPO Overview 3.0, section 2.5.1.

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 finds that the Disputed Domain Name was registered in bad faith, with knowledge of the Complainant, its trademark, and business particularly because the Disputed Domain Name incorporates the Complainant's widely known trademark together with a term commonly used on social media platforms, is very similar to the Complainant's domain names and trade name, and the Complainant's trademark predates the registration of the Disputed Domain Name with more than 14 years.

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.

Previous UDRP panels have found that the mere registration of a domain name that is identical or confusingly similar to a widely known trademark can, by itself, constitute a presumption of bad faith for the purpose of Policy. <u>WIPO Overview 3.0</u>., section 3.1.4.

At the time of filing the Complaint, the Disputed Domain Name was not connected to an active website.

UDRP panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel notes the distinctiveness and international reputation of the Complainant's trademark; the composition of the Disputed Domain Name (i.e., the Complainant's mark together with the term "live", which is commonly used in the Complainant's industry); the Respondent's failure to respond to the present proceedings; the Respondent's provision of inaccurate contact details in the Whols (since the Written Notice by the Center could not be delivered), and finds that, in the circumstances of this case, the passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy. WIPO Overview 3.0, section 3.3.

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, <a href="https://example.com">bumblelive.com</a>, be transferred to the Complainant.

/Marilena Comanescu/ Marilena Comanescu Sole Panelist Date: July 29, 2025