

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation (IBM) v. Tyler Dikman
Case No. D2025-2376

1. The Parties

The Complainant is International Business Machines Corporation (IBM), United States of America ("United States"), internally represented.

The Respondent is Tyler Dikman, United States.

2. The Domain Name and Registrar

The disputed domain name <ibm-worldwide.com> (the "Disputed Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 16, 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 (John Doe / Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 18, 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 June 18, 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 the Respondent of the Complaint, and the proceedings commenced on June 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 11, 2025.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on July 31, 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 owns and has owned trademark registrations for the IBM mark in 131 jurisdictions around the world for several decades. The Complainant owns the following registrations for the IBM mark in the United States, where the Respondent apparently is located:

Registration No. 4,181,289 registered on July 31, 2012 in International Classes 6, 8, 9, 11, 14, 16, 18, 20, 21, 22, 24, 25, 26, 28, 30, 35, and 41;
Registration No. 3,002,164 registered on September 27, 2005 in International Class 9;
Registration No. 1,696,454 registered on June 23, 1992 in International Class 36;
Registration No. 1,694,814 registered on June 16, 1992 in International Class 36;
Registration No. 1,243,930 registered on June 28, 1983 in International Class 42;
Registration No. 1,205,090, registered on August 17, 1982 in International Classes 1, 7, 9, 16, 37, and 42;
Registration No. 1,058,803, registered on February 15, 1977 in International Classes 1, 2, 3, 4, 7, 9, 10, 16, 28, 37, 41, and 42; and
Registration No. 640,606 registered on January 29, 1957 in International Class 9.

The Complainant is a designer and manufacturer of a wide array of products that record, process, communicate, store, and retrieve information, including computers and computer hardware, software, and accessories.

In 2024, the Complainant was ranked the 16th most valuable global brand by BrandZ, the 18th best global brand by Interbrand, the 49th largest company on the Fortune United States 500 list, and the 168th largest company on the Fortune Global 500 list.

The Complainant has been offering products under the IBM mark since February 14, 1924.

Numerous prior UDRP panels have concluded that the IBM mark is famous. See, *International Business Machines v. Niculescu Aron Razvan Nicolae*, WIPO Case No. [DRO2010-0003](#), the panel concluded that the Complainant's "trademark is well-known around the world [...] and is registered for decades. Also, the IBM trademark is distinctive and therefore it is difficult to imagine someone randomly choosing three letters composing the trademark to register as a domain name, especially in light of the lack of Response in this case."

A panel concluded in another decision "[IBM's] trademark is well-known around the world, representing the abbreviation of its trade name." See *International Business Machines Corporation v. Linux Security Systems srl*, WIPO Case No. [DRO2010-0004](#). A panel stated in another decision "The 'IBM' [...] letter trademark[] [is] used by [one] of the world's largest industrial corporations and without doubt [is] 'well-known' within the meaning of Article 6bis of the Paris Convention." See *Physik Instrumente GmbH. & Co. v. Stefan Kerner and Jeremy Kerner and Magic Moments Design Limited*, WIPO Case No. [D2000-1001](#).

The Disputed Domain Name was registered on October 14, 2024. At the time of filing the Complaint, the disputed domain name redirected to the Complainant's website at the domain name <ibm.com>.

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 that the Disputed Domain Name consists of the letters "ibm" followed by the descriptive term "worldwide" and the generic Top-Level Domain ("gTLD") extension ".com." The letters "ibm" contained in the domain name are exactly the same as the IBM trademark. The only difference is the addition of the hyphen and the word "worldwide". These minor variations do not obviate the confusing similarity between the Disputed Domain Name and the Complainant's trademarks. The addition of the term "worldwide" could reasonably suggest that the Disputed Domain Name is associated with the Complainant whom is a well-known technology company offering technological products and services globally, with a notable business presence in numerous international markets and offices in over 170 countries, as evidenced by Google search results for "ibm worldwide" yielding links to the Complainant's contact and location webpages thus adding to the consumer confusion regarding the Complainant's relationship with the Respondent.

The Complainant has never licensed, contracted, or otherwise permitted anyone to apply to register the Disputed Domain Name. Furthermore, there is no evidence that the Respondent is using the Disputed Domain Name incorporating the IBM trademark for a bona fide offering of goods or services, nor is there any evidence of fair use.

The Respondent has been misusing the IBM trademark in the Disputed Domain Name in a multitude of illegitimate ways, which have been documented as follows:

- The Respondent has been intentionally attempting to create a likelihood of confusion by using the Disputed Domain Name to redirect users to a Complainant-owned webpage (namely, <https://www.ibm.com/us-en>), which is the main page of the Complainant's United States market website. As stated in Section 2.5.3 of [WIPO Overview 3.0](#), a respondent's use of a complainant's mark to redirect users would not support a claim to rights or legitimate rights.
- The Respondent configured an email server on the Disputed Domain Name.
- The cybersecurity threat arising from the Disputed Domain Name is evidenced by the IP activity report associated with the IP address which is linked to the Disputed Domain Name. The IP activity report indicates the Disputed Domain Name's IP address is linked to botnet command and control servers. A botnet is a network of infected devices centrally controlled by a single source that has the capability to carry out coordinated cyberattacks.

Such unauthorized use of the IBM trademark is likely to trick consumers into erroneously believing that the Complainant is somehow affiliated with the Respondent or endorsing its commercial activities, while in fact no such relationship exists.

Respondent was well aware of the Complainant's trademarks at the time the Respondent registered the Disputed Domain Name on October 14, 2024. The Complainant's trademarks are well known around the world. The Complainant relies on the extensive range of registered trademarks for IBM to which references have already been made. This is proof of bad faith at the time of registration.

The Disputed Domain Name redirects to the Complainant's website. This creates a real or implied ongoing threat to the Complainant. This behavior by the Respondent clearly demonstrates bad faith use of the Disputed Domain Name. The Respondent has connected the Disputed Domain Name, which currently redirects to the Complainant's official website, to a mail server responsible for sending and accepting email messages on behalf of the Disputed Domain Name.

Respondent's undoubted familiarity with the Complainant's world-famous IBM mark at the time of registering the Disputed Domain Name, the Respondent's use of a privacy shield, the confusing similarity between the Disputed Domain Name and the Complainant's marks, the fact that the Disputed Domain Name is associated with IP addresses connected to malware and is linked to an active mail server, and the fact the Disputed Domain Name redirects to the Complainant's website are in combination conclusive proof that the Disputed Domain Name was registered, and has been used, in bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has demonstrated it owns registered trademark rights in the famous IBM mark and has shown that no other entity has rights in or uses the Complainant's mark. The addition of the term "worldwide" does not prevent the Complainant's trademark from being recognizable in the Disputed Domain Name. The Disputed Domain Name wholly incorporates the Complainant's trademark. The Top-Level domain ("TLD") ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), sections 1.8 and 1.11.1, and *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 a mark in which the Complainant has rights.

B. Rights or Legitimate Interests

The Complainant has presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name and has not been commonly known by the Disputed Domain Name. The fact, inter alia, that the Respondent obtained the Disputed Domain Name over 100 years after the Complainant had begun using its IBM mark, indicates that the Respondent sought to piggyback on the IBM mark for illegitimate reasons.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#); and section 2.1 of the [WIPO Overview 3.0](#).

Here, the Respondent has provided no evidence of any rights or legitimate interests in the Disputed Domain Name. Moreover, the evidence provided by the Complainant shows that the Disputed Domain Name resolves to Complainant's actual website but contains Mail Exchange ("MX") records which can be used to send potential phishing emails. Lastly the IP address associated with the Dispute Domain Name is affiliated with a botnet which can be used to harm both the Complainant and the Complainant's customers.

In the absence of any evidence rebutting the Complainant's prima facie case indicating the Respondent's lack of rights or legitimate interests in respect of the Disputed Domain Name, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Disputed Domain Name was registered years after the Complainant first used its marks. The evidence provided by the Complainant makes it clear that the Respondent undoubtedly knew of the Complainant's marks and knew that it had no rights or legitimate interests in the Disputed Domain Name when it registered the Disputed Domain Name.

There is no apparent benign reason for the Respondent to have registered the Disputed Domain Name that is a variant of the Complainant's marks.

Further, the use of the Disputed Domain Name by the Respondent is in bad faith. Paragraph 4(b)(iv) states that evidence of bad faith may include a respondent's use of a domain name to intentionally attempt to attract, for commercial gain. The Complainant has alleged and provided evidence that the Disputed Domain Name redirects to the Complainant's website. See [WIPO Overview 3.0](#), section 3.1.4. Moreover, the Panel notes the activation of MX records and the risk of phishing and possible botnet attacks raised by the Complainant.

Accordingly, the Panel finds that the Disputed Domain Name has been registered and is being used in bad faith.

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 <ibm-worldwide.com> be transferred to the Complainant.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: August 16, 2025