

ADMINISTRATIVE PANEL DECISION

PN II, Inc. v. Musa Muhammed

Case No. D2025-2772

1. The Parties

The Complainant is PN II, Inc., United States of America, represented by Adams and Reese LLP, United States of America.

The Respondent is Musa Muhammed, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <pultegrpinc.com> is registered with OwnRegistrar, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 14, 2025. On July 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 15, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 July 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 14, 2025.

The Center appointed Mireille Buydens as the sole panelist in this matter on August 18, 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 wholly-owned subsidiary of PulteGroup, Inc. The Complainant and its predecessors have been using the PULTE trademark since 1969, and the PULTEGROUP trademark since 2010. PulteGroup, Inc. and its subsidiaries offer home building, real estate, mortgage lending, and related services under the PULTE trademarks, and advertise these services through various websites as well as through other advertising and promotional campaigns. PulteGroup, Inc. is the largest homebuilding company in the United States of America and currently operates in approximately fifty markets.

The Complainant has a large portfolio of registrations for the PULTE trademark, including (inter alia) the following (hereafter “the PULTE Trademark” or “the Trademark”):

- United States of America trademark registration No. 3676026 (PULTE, word mark), registered on September 1, 2009;
- United States of America trademark registration No. 1942747 (PULTE, word mark), registered December 19, 1995;
- and United States of America trademark registration No. 4077463 (PULTEGROUP, word mark), registered December 27, 2011.

The Complainant owns various domain names, including <pulte.com>, <pultegroup.com> and <pultegroupinc.com>. The Complainant operates its principal websites at <pulte.com>, <pultegroup.com>, and <pultegroupinc.com>.

The disputed domain name was registered on June 26, 2025. According to the Complaint, the disputed domain name directed to a “copycat” website posing as “Pulte Group Inc.” The website under the disputed domain name displayed the Complainant’s PULTE Trademarks and features copyright-protected content unlawfully copied from the Complainant’s “PulteGroupInc.com” website. The website under the disputed domain name falsely identified itself as “Pulte Group Inc.” in the footer. Visitors were prompted to enter sensitive personal information, including name and email address, to “Request a Quote.” The disputed domain name also has an active MX record, indicating that the Respondent is using the disputed domain name for sending and receiving emails.

At the date of this decision, the disputed domain name resolves 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.

First, the Complainant asserts that the disputed domain name is confusingly similar to the PULTE Trademark as the disputed domain name reproduces the PULTE Trademark in its entirety. The addition of the terms “grp,” an abbreviation of the generic word “group,” and “inc,” an abbreviation of the generic word “incorporated,” does not prevent the disputed domain name from being confusingly similar to the PULTE Trademark. The addition of “grp” and “inc” reinforces the confusion, because the disputed domain name represents a close typo-variant of the Complainant’s PULTEGROUP Trademark and is very similar to the domain name of the Complainant’s principal website at “pultegroupinc.com”.

Second, the Complainant asserts that the Respondent lacks rights or legitimate interests in the disputed domain name. The disputed domain name is not the Respondent’s name, and to the Complainant’s knowledge, the Respondent is not, and has never been commonly known as “Pulte Grp Inc.” The Respondent is not, and has never been a licensee or franchisee of the Complainant and has never been authorized by the Complainant to register or use the Complainant’s Trademarks or to apply for or use any

domain name incorporating the Trademarks. The Complainant further asserts that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, or in a legitimate non-commercial or fair manner. On the contrary, the Respondent is using the disputed domain name to direct Internet users to a “copycat” website using the Complainant’s Trademarks and copyrighted content to pass itself off as the Complainant and including a “Request A Quote” form to collect personal information. The Complainant also avers that MX record have been activated, which indicates that the Respondent is using the disputed domain name for sending and receiving emails, likely for the purposes of misleading email recipients into believing that the Respondent is an agent or employee of the Complainant.

Third, the Complainant asserts that the disputed domain name was registered and is being used in bad faith.

Given the trademark registrations for the PULTE Trademarks, the Complainant’s numerous domain names incorporating the PULTE Trademarks, the Complainant’s reputation, and the fact that the PULTE Trademark is a highly distinctive Trademark, it is not plausible that the Respondent could have been unaware of the Complainant and its Trademarks at the time of registration. The Respondent’s knowledge of the Complainant is confirmed by the content of the Respondent’s website under the disputed domain name, which features the Complainant’s Trademarks and copyright-protected content unlawfully copied from the Complainant’s “pultegroupinc.com” website. The Complainant further asserts that the active MX record associated with the disputed domain name evidence that the Respondent is likely using the disputed domain name in connection with phishing, fraud, or other unlawful activities. Finally, the Respondent has demonstrated a pattern of conduct indicative of bad faith registration and use of domains incorporating others’ trademarks. A reverse Whois search reveals twenty-three domain names registered to the Respondent’s email address, and twenty-seven domain names registered to the Respondent’s name.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant proves each of the following three elements to succeed in its Complaint:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of 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. 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.

The disputed domain name consists of the Complainant’s PULTE Trademark, with the addition of the letters “grp” (abbreviation for “group”) and the letters “inc” (abbreviation for “incorporated”). Despite these additions, the PULTE Trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.9.

Although the addition of other elements, here the letters “grp” and “inc”, may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The gTLD “.com”, may be disregarded for the purposes of assessment under the first element, as it is viewed as a standard registration requirement.

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 Respondent did not claim to be commonly known by the disputed domain name, nor to have acquired or applied for a trademark registration for “pultegrpinc”, or any variation thereof. The Complainant has asserted, without being contradicted by the Respondent, that the Respondent is not a licensee of the Complainant, nor affiliated with the Complainant in any way, nor authorized in any way to file and use the disputed domain name.

The Panel notes that the disputed domain name reproduces the PULTE Trademark with the mere addition of the letters “grp” (abbreviation of “group”) as well as the letters “inc” (abbreviation for “incorporated”), and is therefore very similar to the Complainant’s domain name <pultegroupinc.com>, which resolves to the Complainant’s official website. As a result, the disputed domain name carries a high risk of implied affiliation, which cannot constitute fair use as it suggests sponsorship or endorsement by the Complainant.

The Panel also notes the impersonating nature of the website at the disputed domain name: the website reproduces the main picture of the Complainant’s official website at “pultegroupinc.com”, presents itself as being the Complainant in the text and in the footer, and prominently displays the Complainant’s PULTE Trademark. As a result, the Respondent falsely induces Internet users into believing that the disputed domain name resolves to a website operated by the Complainant. Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, 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.

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 notes that the Respondent has composed the disputed domain name by combining the Complainant's PULTE Trademark with the letters "grp" (abbreviation for "group") and the letters "inc" (for "incorporated"), thereby choosing a domain name very similar to the Complainant's domain name <pultegroupinc.com> resolving to the Complainant's official website. Given the trademark registrations for the PULTE Trademark, the Complainant's numerous domain names incorporating the PULTE Trademark, and the fact that the PULTE Trademark is a highly distinctive Trademark, it is not plausible that the Respondent could have been unaware of the Complainant and its Trademark at the time of registration. The fact that the website to which the disputed domain name resolves, impersonates the Complainant's website also shows that the Respondent was aware of the Complainant and its Trademark when it registered and used the disputed domain name. Besides, a quick search for the term "pulte" online would have revealed to the Respondent the existence of the Complainant and its Trademark. As a result, the Panel finds that the Respondent was more likely than not aware of the Complainant's Trademark at the time of the registration of the disputed domain name. [WIPO Overview 3.0](#) section 3.2.2.

Moreover, panels have held that the use of a domain name for illegitimate activity, here impersonating or passing off, constitutes bad faith. In the present case, the disputed domain name resolves to a website which impersonates the Complainant's official website. The Respondent passes itself off as the Complainant, the website to which the disputed domain name resolves displays the Complainant's PULTE Trademark while giving many details about the Complainant, including a description of its business operations, and offering potential customers to send a request and to leave their contact details. This website does not contain any information allowing Internet users to identify the company operating the website. In light of this, it seems inconceivable that the Respondent would have registered and used the disputed domain name for a reason other than seeking to unduly benefit from the Complainant, its PULTE Trademark, and associated goodwill.

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 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 <pultegrpinc.com> be transferred to the Complainant.

/Mireille Buydens/

Mireille Buydens

Sole Panelist

Date: August 28, 2025