

ARBITRATION AND MEDIATION CENTER

## ADMINISTRATIVE PANEL DECISION

Accenture Global Services Limited v. jack ma Case No. D2025-3122

#### 1. The Parties

The Complainant is Accenture Global Services Limited, Ireland, represented by McDermott Will & Emery LLP, United States of America.

The Respondent is jack ma, Hong Kong, China.

### 2. The Domain Name and Registrar

The disputed domain name <accenturestock.com> is registered with GoDaddy.com, LLC (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 6, 2025. On August 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 7, 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 ("Registration Private / Domains by Proxy, LLC") and contact information in the Complaint. The Center sent an email communication to the Complainant on August 7, 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 August 10, 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 August 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 2, 2025.

The Center appointed Teruo Kato as the sole panelist in this matter on September 3, 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

According to the Complainant, the Complainant is an international business that provides a broad range of services and solutions in strategy, consulting, digital, technology and operations under the name ACCENTURE, and it began using the mark ACCENTURE in connection with various services, including management consulting, technology services and outsourcing services, on January 1, 2001. It has offices and operations in more than 200 cities in 52 countries.

The Complainant also contends that it owns various word and figurative ACCENTURE trademark registrations around the world. According to the provided documents in the case, the Complainant is, among others, the registered owner of the United States of America Trademark Registration No. 3,091,811, registered on May 16, 2006 for ACCENTURE, in Classes 9, 16, 35, 36, 37, 41 and 42, as well as the United States of America Trademark Registration No. 7,266,256, registered on January 9, 2024, for ACCENTURE, in Classes 9, 35, 36, 37, 41 and 42.

The Respondent is reportedly located in Hong Kong, China.

The disputed domain name was registered on July 19, 2025.

According to the Complaint, the disputed domain name resolved to a page displaying an Internet browser error message stating "[t]his site can't be reached." At present, it resolves to a page stating, among others, "Sorry, you have been blocked" and "You are unable to access accenturestock.com", together with a Cloudflare Ray ID number.

#### 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.

### **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.

The entirety of the mark is reproduced 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 3.0</u>, section 1.7.

Although the addition of other term here, "stock", 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 Panel finds the second element of the Policy has been established.

#### C. Registered and Used 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. <u>WIPO Overview 3.0</u>, section 3.2.1.

In the present case, according to the Whols Record submitted by the Complainant (last updated on August 10, 2025), the Respondent had provided the Registrar with its address as "Registrant Street: asdasd. Registrant Street: asdasd. Registrant Street: asdasd. Registrant Postal Code: 456456. Registrant Country: HK."

The Panel considers that an address in Hong Kong incorporating a multiple of "asdasd" is not genuine. The Panel notes that Postal Code system is not being used in Hong Kong. Taking also into consideration that the Respondent has not replied at all in the present proceedings, the Panel is satisfied that the Respondent registered the disputed domain name in bad faith.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. <u>WIPO Overview 3.0</u>, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, 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.

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 <accenturestock.com> be transferred to the Complainant.

/Teruo Kato/ Teruo Kato Sole Panelist

Date: September 10, 2025