

ADMINISTRATIVE PANEL DECISION

Stichting BDO v. neil neil.
Case No. D2025-3243

1. The Parties

The Complainant is Stichting BDO, Netherlands (Kingdom of the), represented by McDermott Will & Schulte LLP, United States of America (“United States”).

The Respondent is neil neil., Philippines.

2. The Domain Name and Registrar

The disputed domain name <www-bdo.com> is registered with Squarespace Domains LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 13, 2025. On August 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 13, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 19, 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 21, 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 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 17, 2025.

The Center appointed Luca Barbero as the sole panelist in this matter on September 23, 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 an international network of public accounting firms that dates back to 1963 and provides a wide range of services within the financial services industry including audit, tax, and advisory services across sectors such as banking, capital markets, insurance, and asset management.

The Complainant has over 115,000 global employees in more than 1,750 offices across 164 countries around the world, including in the United States, Europe, Africa and the Middle East, North and South America, and Asia, and has been ranked amongst the top accounting firms in the United States and in the world, with more than USD 2.8 billion in revenue in the United States alone and over USD 15 billion in global revenue combined.

The Complainant is the owner of several trademark registrations for BDO, including the following, as per trademark registration certificates submitted as annex C to the Complaint:

- United States trademark registration No. 4854142 for BDO (word mark), filed on December 9, 2014, and registered on November 17, 2015, in international classes 9, 16, 35, 36, 41, 42 and 45;
- United States of America trademark registration No. 2699812 for BDO (figurative mark), filed on December 31, 2001, and registered on March 25, 2003, in international classes 9, 16, 35, 36, 41 and 42.

The Complainant is also the owner of several domain names incorporating BDO, including <bdo.com>, which was registered on February 28, 1995, and is used by the Complainant to promote its services under the trademark BDO in the United States market.

The disputed domain name <www-bdo.com> was registered on July 28, 2025, and is pointed to a static page displaying only the indication “www-bdo.com We're under construction. Please check back for an update soon”.

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 is nearly identical to, and confusingly similar, to the trademark BDO in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the letters “www” (standing for “world wide web”) followed by a hyphen and the generic Top-Level Domain (“gTLD”) “.com”. The Complainant submits that the disputed domain name is likely to mislead, deceive and cause mistake amongst users as to its source, sponsorship, affiliation, or endorsement, especially since the structure also strongly resembles the Complainant's domain name <bdo.com>.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name since: i) the BDO mark is not a generic or descriptive term in which the Respondent might have an interest as the BDO mark is globally recognized and has acquired secondary meaning through the Complainant's substantial, continuous, and exclusive use of the mark in connection with the

Complainant's goods and services; ii) the Respondent is in no way affiliated with, licensed or permitted by the Complainant to use its BDO mark in any way including in domain names; iii) the Respondent is not commonly known by the disputed domain name as it used a Whois privacy service to shield its identity and, according to the registrant information provided by the concerned Registrar to the Center after the filing of the Complaint, its name does not have any relation with the disputed domain name; and iv) considering the disputed domain name resolves to a mere parking page, the Respondent is not making a legitimate noncommercial fair use of the disputed domain name and has failed to use the same to provide a bona fide offering of goods and services.

With reference to the circumstances evidencing bad faith, the Complainant indicates that given its worldwide reputation and the ubiquitous presence of the BDO marks on the Internet, the Respondent was or should have been aware of such marks long prior to registering the disputed domain name.

As to the use of the disputed domain name, the Complainant states that, since the Respondent has redirected the disputed domain name to a mere parking page, the disputed domain name has not been used for any legitimate purpose.

The Complainant further submits that, considering the Respondent concealed its identity via a privacy service when registering the disputed domain name and the BDO trademark is distinctive and well-known throughout the world, it is highly unlikely that the Respondent registered the disputed domain name independently for its own purpose and it is implausible for the Respondent to have registered the disputed domain name other than to trade off the reputation and goodwill of the Complainant's BDO marks. The Complainant concludes that such facts are indicative of the disputed domain name being passively held in bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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. Indeed, the Complainant has provided evidence of ownership of valid trademark registrations for BDO.

The Panel finds that the Complainant's mark is entirely reproduced, and is thus recognizable, in the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the letters "www" followed by a hyphen 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.

As to the gTLD ".com", it can be disregarded under the first element confusing similarity test, being a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1.

Therefore, 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 notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not affiliated to, or licensed by, the Complainant, nor has the Respondent obtained authorization to use the Complainant's trademark or to register the disputed domain name.

Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

Furthermore, the disputed domain name resolves to a static webpage indicating that the website is under construction and, based on the records, there is no evidence of use of the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

In addition to the above, the composition of the disputed domain name is inherently misleading as it effectively impersonates the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Therefore, the Panel finds the second element of the Policy has also 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, in view of the Complainant's prior registration and use of the trademark BDO in connection with the Complainant's audit, tax, and advisory services provided in several countries of the world and promoted online, amongst others, via the Complainant's website "www.bdo.com", the Panel finds that the Respondent knew or should have known the Complainant's trademark at the time of registration of the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

Moreover, the composition of the disputed domain name suggests that the Respondent was indeed aware of, and intended to impersonate, the Complainant and its website "www.bdo.com".

As indicated above, the disputed domain name resolves to a static webpage indicating that the website is under construction. Panels have found that the non-use of a domain name (including coming soon pages) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's mark, and considering the composition of the disputed domain name, the Respondent's failure to provide any evidence of actual or contemplated good-faith use and the implausibility of any good faith use to which the disputed domain name may be put, finds that, under the circumstances, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <www-bdo.com> be transferred to the Complainant.

/Luca Barbero/

Luca Barbero

Sole Panelist

Date: October 6, 2025