

## **ADMINISTRATIVE PANEL DECISION**

Stichting BDO v. Aleksey Mironov  
Case No. D2025-3485

### **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 Aleksey Mironov, Ukraine.

### **2. The Domain Name and Registrar**

The disputed domain name <bdogf.com> is registered with Key-Systems GmbH (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 28, 2025. On August 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 1, 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 September 1, 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 September 5, 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 September 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 30, 2025.

The Center appointed Stefan Bojovic as the sole panelist in this matter on October 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**

The Complainant is the governing entity of the global BDO network of independent accounting and professional services firms operating under the BDO trademark, which according to the Complainant is in use since 1963. The network comprises more than 115,000 professionals in over 1,750 offices across 164 countries worldwide, generating approximately 15 billion USD in combined global revenue, including more than 2.8 billion USD in the United States alone.

The Complainant is the owner of registered trademarks for the BDO trademark, including the following:

- United States Trademark Registration No. 2699812 for BDO (word/device), registered on March 25, 2003; and
- United States Trademark Registration No. 4854142 for BDO, registered on November 17, 2015.

Furthermore, the Complainant and its affiliates own a number of domain name registrations containing BDO trademark, such as <bdo.com>, registered on February 28, 1995 (used for the Complainant's principal website) and <bdointernational.com> registered on March 17, 2005.

The disputed domain name was registered on August 18, 2025 and it resolves to a website with presentation of company under the name "BDO Finance" that prominently displays the Complainant's BDO trademark (both word mark and word/device trademarks). Based on the content of the website, the alleged company "BDO Finance" was established in 2014, is present on 150 markets and in 33 countries and offers comprehensive trading services. The website also provides the option for opening of an account requiring various personal information.

#### **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 confusingly similar to its BDO trademark. Further, the Complainant holds that the addition of the letters "gf" does not prevent a finding of confusing similarity. Similarly, the generic Top-Level-Domain ("gTLD") ".com" should not be taken into account when assessing confusing similarity.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent is neither affiliated with, nor has it been licensed or permitted to use the Complainant's BDO trademark or any domain names incorporating the BDO trademark. The Respondent is also not commonly known by the disputed domain name. The Complainant further argues that the Respondent is not making a legitimate noncommercial fair use of the disputed domain name. Instead, the Respondent is posing as the Complainant through use of the disputed domain name that resolves to a website that displays the BDO logo and is posing as "BDO FINANCE". The content at the website suggests that the Respondent is attempting to appear as a legitimate subsidiary of the Complainant and purporting to serve "[...] retail investors all over the world. We offer comprehensive trading services", while soliciting account creation and "investments" in certain advertised accounts.

With reference to the circumstances evidencing bad faith, the Complainant states that given the Complainant's worldwide reputation and the ubiquitous presence of the BDO trademark on the Internet, the Respondent was, or should have been, aware of the BDO trademark long before the registration of the disputed domain name. Furthermore, the Respondent is using the disputed domain name to mislead Internet users who are searching for the Complainant, but instead reach the disputed domain name, where the Respondent is expressly holding itself out as the Complainant or its subsidiary. The Complainant underlines that bad faith exists under the paragraph 4(b)(iv) of the Policy where a respondent uses a confusingly similar domain name to resolve to a mimicking website that attempts to "pass off" as the Complainant's website, products, or services.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1. Procedural Issue – Location of Respondent**

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

The location of the Respondent disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

Having considered all the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the Center notified the Respondent of the Complaint using all available means and nothing in the available record suggests that the electronic notification did not reach the Respondent's email address as listed in the registration records for the disputed domain name. Furthermore, the Panel notes that the disputed domain name was registered on August 18, 2025, during the international conflict, suggesting that the Respondent is able to access Internet, maintain control of the disputed domain name, and thus should have received at least electronic notice of these proceedings.

The Panel also points out that, for the reasons which are set out later in this Decision, the Panel has no serious doubt that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's trademark and its services.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition, the Panel will proceed to a Decision accordingly.

### **6.2. Substantive Considerations**

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 stipulates 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.

The entirety of the Complainant's trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here letters "gf") 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 Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

In addition, it is well established that the gTLD ".com", can be disregarded in the assessment of the confusing similarity between the disputed domain name and the Complainant's trademark. [WIPO Overview 3.0](#), section 1.11.1.

The Panel, therefore, finds that 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 seems to be no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's BDO trademark or any variation thereof. There appears to be no element from which the Panel could infer the Respondent's rights and legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

Furthermore, the disputed domain name is used for a website that impersonates the Complainant (which creates a false impression that it is operated by the Complainant's affiliate) and that uses the Complainant's BDO trademark and logo without authorization. Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation and passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Having in mind the above, 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.

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.

In the present case, the Panel notes that the Respondent must have been well-aware of the Complainant and its BDO trademark at the time of the registration of the disputed domain name. Namely, the first registration and use of BDO trademark predates the registration of the disputed domain name by decades, making it unlikely that the Respondent was not aware of the Complainant's trademark at the time of registration of the disputed domain name. Additionally, the content of the website to which the disputed domain name resolves leaves no room for doubt on the Respondent's knowledge of the Complainant and its BDO trademark and evidences that the Respondent actually had the Complainant in mind when registering the disputed domain name.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

As indicated above, the disputed domain name resolves to a website that impersonates the Complainant (which creates a false impression that it is operated by the Complainant's affiliate) and that uses the Complainant's BDO trademark and logo without authorization. Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation and passing off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Therefore, the Panel finds that the disputed domain name has been both registered and is being used in bad faith, and consequently 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 <bdogf.com> be transferred to the Complainant.

*/Stefan Bojovic/*

**Stefan Bojovic**

Sole Panelist

Date: October 17, 2025