

ADMINISTRATIVE PANEL DECISION

Nelson Mullins Riley & Scarborough LLP v. Name Redacted
Case No. D2025-4170

1. The Parties

The Complainant is Nelson Mullins Riley & Scarborough LLP, United States of America (“U.S.” or “United States”), self-represented.

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain names <nelsonmullinns.com> and <nelsonnmullins.com> are registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 11, 2025, in relation to the disputed domain name <nelsonmullinns.com>. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <nelsonmullinns.com>. On October 13, 2025, the Registrar transmitted, by email, to the Center its verification response, disclosing the registrant and contact information for the disputed domain name <nelsonmullinns.com>. The Center sent an email communication to the Complainant on October 14, 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 October 15, 2025.

¹ The Panel has redacted the name of the nominally different registrants appearing in the underlying data as disclosed by the Registrar. The record demonstrates that the registrant of <nelsonmullins.com> fraudulently misused the identity of an employee of the Complainant without their knowledge or consent. In accordance with established UDRP practice, the Panel has redacted the individual’s name from the published decision. An unredacted version has been provided to the Center. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 October 15, 2025. On October 24, 2025, the Complainant submitted a second amended Complaint adding a second disputed domain name <nelsonnmullins.com> (the Additional Domain Name).

In accordance with paragraph 4(c) of the Supplemental Rules, the Complainant transmitted a copy of the second amended Complaint to the Registrar on October 24, 2025, in electronic form. In accordance with the Rules, paragraph 5, the due date for the Response was November 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 12, 2025.

The Center appointed William F. Hamilton as the sole panelist in this matter on November 25, 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.

On December 11, 2025, the Panel issued Administrative Panel Procedural Order No. 1 after determining that there were sufficient elements to consider the Additional Domain Name <nelsonnmullins.com> in this proceeding. Following Procedural Order No. 1, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Additional Domain Name. On December 10, 2025, the Registrar transmitted by email to the Center its verification response disclosing the registrant and contact information for the Additional Domain name. Noting that the Additional Domain Name was registered with different registrant information, the Panel, pursuant to paragraphs 10(a), 10(b), and 12 of the Rules ordered:

1. The Complainant shall have until December 16, 2025, to amend the Complaint and provide further consolidation arguments (if any) in view of the registrant contact information, demonstrating that all named Respondents are, in fact, the same entity and/or that all domain names are under common control;
2. The Respondents shall have until December 26, 2025, to submit any comments they may have on the Complainant’s second amended Complaint regarding the Additional Domain Name dated October 24, 2025, and the Complainant’s submission in reply to this Procedural Order.

The Complainant filed a Third Amended Complaint on December 11, 2025.

The Respondent did not file a response to the Third Amended Complaint.

4. Factual Background

The Complainant is a U.S. law firm composed of more than 1000 attorneys, policy advisors, and professionals across 37 offices serving clients in more than 100 practice areas.

The Complainant has adopted and extensively used the NELSON MULLINS RILEY & SCARBOROUGH LLP and NELSON MULLINS service marks in connection with marketing, advertising, promoting, and providing the Complainant’s legal services. The trademarks may be referred to collectively as the “Marks” or the “NELSON MULLINS Marks.”

The Complainant obtained United States Registration No. 3757228 for the trademark NELSON MULLINS RILEY & SCARBOROUGH on March 9, 2010, and the Complainant obtained Registration No. 3754391 for the trademark NELSON MULLINS on March 2, 2010.

The Complainant's website is reached through the domain name <nelsonmullins.com>.

The Respondent registered the disputed domain name, <nelsonmullinns.com>, on October 2, 2025. One week later, on October 9, 2025, the Respondent perpetrated a business email compromise (BEC) attack on a client of the Complainant by impersonating a Nelson Mullins attorney and contacting the client under the false pretense of providing updated bank wiring instructions.

The Respondent registered the disputed domain name <nelsonnmullins.com> on October 14, 2025, one day before the commencement of this proceeding. Both disputed domain names resolve to pay-per-click pass-through websites or to websites that contain only the disputed domain names in text.

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 names. The Complainant contends that both disputed domain names were registered by the same Respondent to facilitate BEC attacks on the Complainant's clients.

Notably, the Complainant argues that the disputed domain names are confusingly similar to its Marks because the NELSON MULLINS Marks are identifiable within them. Both disputed domain names are classic examples of typosquatting and both involve the similar strategy of repeating the letter "N". The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain names, and there is no evidence indicating that the Respondent is commonly known by the disputed domain names. Additionally, the Complainant states that the Respondent is neither a licensee nor affiliated with the Complainant in any way. Furthermore, the Complainant claims it has not authorized the Respondent to use the Mark. Moreover, the Complainant argues that the disputed domain names were registered and used in bad faith to launch BEC attacks on the Complainant's clients.

B. Respondent

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

6. Procedural Ruling: Consolidation

The Complainant has requested consolidation in the proceeding of the two disputed domain names. Under paragraph 10 of the Rules, the Panel is entrusted with the authority to "conduct the administrative proceeding in such manner as it considers appropriate under the Policy and the Rules," provided that the Parties are treated with equality and that each is afforded a fair opportunity to present its case. Section 4.12.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0") further contemplates that a panel may, in limited circumstances, permit the addition of domain names post-notification where the record demonstrates respondent gaming or attempts to frustrate the proceeding.

The request arises in the context of a documented business email compromise attack ("BEC"). As established in the case file, the first disputed domain name, <nelsonmullinns.com>, has been used to impersonate an attorney member of the Complainant and transmit fraudulent wiring instructions targeting a Complainant's client. The second disputed domain name, <nelsonnmullins.com>, was registered after this case was initially commenced and exhibits the same typosquatting pattern, namely, duplicating the letter "n" in the Complainant's Marks. The registration and emergence of an additional typosquatted disputed domain name *after commencement* reinforces the inference of respondent evasion and misuse of the registration process, placing this case squarely within the category recognized in [WIPO Overview 3.0](#), section 4.12.2, where procedural flexibility is appropriate. The disputed domain names were registered with

the same Registrar. The Respondent has used what appears to be a stolen identity, and there is no indication that the Respondent would be prejudiced by the inclusion of the Additional Domain Name. The Respondent has not objected to the consolidation.

The person named on the registration of <nelsonmullinns.com> has demonstrated that their name was fraudulently misappropriated. The name of the registrant of the Additional Domain Name was also protected by a privacy shield. However, the Panel determines that a single Respondent is the registrant of both disputed domain names based on the near-identical circumstances surrounding the registration of the first disputed domain name, namely, the identical method of typosquatting, the temporal sequence of the registrations, and the MX configuration for each disputed domain name. These factors collectively support the finding that both disputed domain names are under common control, notwithstanding the use of stolen identity information and privacy services.

Accordingly, the Panel accepts the second amended Complaint and grants the Complainant's request for consolidation and further determines that the disputed domain names were registered by the same entity or by entities under common control, referred to herein as the Respondent.

7. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements that a complainant must satisfy to succeed. The Complainant must satisfy that:

- (i) the 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 such domain name; and
- (iii) the 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 3.0](#), section 1.7.

The Complainant has shown rights in respect to the NELSON MULLINS Marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain names. Both disputed domain names deploy classic typosquatting techniques designed to capture misspellings of the NELSON MULLINS Marks. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7

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 names. 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 names such as those enumerated in the Policy or otherwise.

Moreover, panels have held that the use of a domain name for BEC attacks 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

Under paragraph 4(b) of the Policy, bad faith may be established by any one of the following scenarios:

- (i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

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. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel notes that the disputed domain names are strikingly similar to the well-known NELSON MULLINS Marks, that the disputed domain name <nelsonnmullins.com> has been used to perpetrate a BEC attack, and that the Additional Domain Name also shows an MX configuration.

Panels have held that the use of a domain name for BEC *impersonation* 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 names constitute bad faith under the Policy.

The registration of the second disputed domain name in close temporal proximity, using the same distinctive misspelling strategy and accompanied by an MX configuration consistent with email fraud, further confirms a deliberate pattern of bad faith targeting.

The Panel finds that the third element of the Policy has been established.

8. 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 names <nelsonmullinns.com> and <nelsonnmullins.com> be transferred to the Complainant.

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: December 31, 2025