

## **ADMINISTRATIVE PANEL DECISION**

Open Society Institute v. Host Master, Njalla Okta LLC  
Case No. D2025-4178

### **1. The Parties**

The Complainant is Open Society Institute, United States of America ("United States"), represented by Morrison & Foerster, LLP, United States.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

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

The disputed domain name <opensocietyfoundations.org> is registered with Tucows Domains Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 11, 2025. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 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 (N/A, The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 16, 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 22, 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 October 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 12, 2025.

The Center appointed Masato Dogauchi as the sole panelist in this matter on November 17, 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 charitable trust with its headquarters in New York, United States. It is a philanthropic organization the mission of which is to build vibrant and tolerant societies whose governments are accountable and open to the participation of all people. It funds a range of programs around the world from public health to education to business development. It also provides a database for the exchange of related information, among other services, under the name of "Open Society".

The Complainant has registered trademarks such as:

- United States Registration No. 4,248,358 for OPEN SOCIETY FOUNDATIONS, registered on November 27, 2012;
- United States Registration No. 3,769,307 for OPEN SOCIETY POLICY CENTER, registered on March 30, 2010;
- United States Registration No. 2,412,029 for OPEN SOCIETY INSTITUTE, registered on December 12, 2000.

Since at least as early as April 6, 2010, the Complainant has operated a website at "www.opensocietyfoundations.org" to promote its mission.

The disputed domain name was registered on July 14, 2025. It does not resolve to any active website. On July 19, 2025, a phishing email was sent from [...]@opensocietyfoundations.org.

#### **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**

In accordance with the Rules, paragraph 15(a), a panel shall decide a case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Since the Respondent has not made any substantive arguments in this case, the following decision is rendered on the basis of the Complainant's contentions and other evidence submitted by the Complainant.

In accordance with the Policy, paragraph 4(a), in order to qualify for a remedy, the Complainant must prove each of the following:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

- (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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name can be divided into three: "open", "society", and "foundations". The second part removes the letter "e" in the word "society", and the third part removes the letter "o" in the word "foundations". This is a typical example of typosquatting, since the term "opensocietyfoundations" is almost identical with one of the Complainant's trademarks.

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.

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. In addition, the Respondent's absence from the proceeding, leads to the conclusion that the Complainant satisfies the second element. [WIPO Overview 3.0](#), section 2.1.

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.

In the present case, in consideration of the fact that the Complainant has been doing philanthropic activities under the name of Open Society around the world for years, it is highly unlikely that the Respondent could have been unaware of the Complainant's OPEN SOCIETY FOUNDATIONS trademark at the time of registration of the disputed domain name on July 14, 2025. Therefore, it is found that the Respondent registered the disputed domain name in bad faith.

With regard to the requirement that the disputed domain name is being used in bad faith, the fact that a phishing email was sent on July 19, 2025 from [...]@opensocietyfoundations.org is enough to conclude that the use of the disputed domain name constitutes bad faith.

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 <opensocietyfoundations.org> be transferred to the Complainant.

*/Masato Dogauchi/*

Masato Dogauchi

Sole Panelist

Date: November 19, 2025