

ADMINISTRATIVE PANEL DECISION

Bitdefender IPR Management Ltd. v. Jardin Isabella
Case No. D2025-4288

1. The Parties

The Complainant is Bitdefender IPR Management Ltd., Cyprus, represented by Baciú Bende IP SRL, Romania.

The Respondent is Jardin Isabella, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <bitdefendercorp.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 20, 2025. On October 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 21, 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 (unknown / Redacted for Privacy, Privacy service provide by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 22, 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 amendment to the Complaint on October 22, 2025.

The Center verified that the Complaint together with the amendment to the 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 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 25, 2025.

The Center appointed Dr. Clive N.A. Trotman as the sole panelist in this matter on December 1, 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 security software company of some 20 years standing. The Complainant's products are used by 500 million customers in over 170 international jurisdictions and the Complainant has offices in Europe, the United States, Canada, the United Arab Emirates, Singapore, Australia and Indonesia.

The Complainant holds over 150 trademarks for BITDEFENDER standing alone or in combination with other terms, of which the following are representative:

BITDEFENDER, word mark, European Union trademark, registered May 14, 2003, registration number 002372506, in class 9;

BITDEFENDER, with design, International trademark, registered June 17, 2011, registration number 1086029, in class 9;

BITDEFENDER, word mark, European Union trademark, registered July 27, 2023, registration number 018852998, in classes 9 and 42.

The Complainant claims it also uses the domain names <bitdefender.com>, <bitdefender.me>, <bitdefender.ro>, <bitdefender.in>, <bitdefender.co.uk>, <bitdefender.fr>, and <bitdefender.jp>.

The Respondent has not replied to the Complaint and there is no background information available about the Respondent except for the contact details provided for the purpose of registration of the disputed domain name on October 1, 2025. The disputed domain name does not resolve to a website.

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 identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The disputed domain name, with the incorporation of the term "corp", is intended to confuse visitors into believing it has an association with the Complainant, which is not so.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has never granted to the Respondent any authorization to use the Complainant's trademark for any purpose or to incorporate it into any domain name. The Respondent is not believed to be the holder of a trademark similar to the Complainant's trademark in any jurisdiction.

The Complainant further contends that the disputed domain name has been registered and used in bad faith by the Respondent. The Complainant says that because the Respondent had no connection with the Complainant and was not authorized in any way to register the disputed domain name, the registration was therefore done in bad faith at the time.

Since the disputed domain name does not resolve to any website, the Respondent is not in a position to assert fair use. The Complainant says that the distinctiveness of its trademark, coupled with the widely adopted doctrine of the passive holding of a domain name, should not prevent a finding that the disputed domain name is being used in bad faith.

The Complainant has cited a number of previous decisions under and beyond the Policy, including cases in which it was itself the complainant, that it considers support its position.

The Complainant requests the 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. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "corp") 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 trademark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 disputed domain name does not appear to have been used for a website or in connection with a bona fide offering of goods or services. There is no evidence of any legitimate noncommercial or fair use. The disputed domain name has not been used as the basis of an email address. The matter of non-use in the form of passive holding is discussed below.

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

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) 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 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 mere fact of a domain name being passively held is not in and of itself sufficient to lead to a finding of bad faith. Nothing obligates a holder of a domain name to put it to use within any particular timeframe. The doctrine of passive holding in bad faith is founded in the decision in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

On the evidence, the Panel finds the Complainant's trademark, notwithstanding its construction from two ordinary words, to be distinctive in the combination. The assertion that the Complainant's trademark of some 22 years standing is currently used in 170 jurisdictions and is familiar to 500 million customers for a purpose that goes to the heart of computer usage, namely security, is consonant with it having a strong reputation and being widely known, and is not refuted by the Respondent.

In terms of the second criterion, no evidence of any actual or contemplated good faith use of the disputed domain name has been provided by the Respondent.

Since there is no evidence the Respondent has given false contact details, the third and fourth criteria set out in *Telstra* are not applicable. In itself, the holding of a domain name through a privacy service is nowadays unremarkable and may be prudent.

The final criterion in *Telstra* was that "taking into account all of the above, it is not possible to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trademark law". As noted above, the Respondent has not provided any evidence of any actual or contemplated good faith use of the disputed domain name which is confusingly similar to the Complainant's mark.

Taking the evidence in the round, the Panel finds on the balance of probabilities that the disputed domain name has been registered and is being used in 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 <bitdefendercorp.com> be transferred to the Complainant.

/Dr. Clive N.A. Trotman/

Dr. Clive N.A. Trotman

Sole Panelist

Date: December 15, 2025