

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. David Lee
Case No. D2026-0442

1. The Parties

The Complainant is International Business Machines Corporation, United States of America (“United States” or “U.S.”), internally represented.

The Respondent is David Lee, United States.

2. The Domain Name and Registrar

The disputed domain name <trusteer-rapport.com> is registered with MainReg Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 4, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 11, 2026, 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 (John Doe, unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 11, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed amendments to the Complaint on February 11, 2026, and February 18, 2026.

The Center verified that the Complaint together with the amendments 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 February 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 13, 2026.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on March 26, 2026. 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 was incorporated in 1911 and officially became International Business Machines Corporation in 1924. Complainant has been offering products and services in the information technology space ever since.

Founded in 2006, Trusteer is a “leading [security service] provider of endpoint cybercrime prevention solutions to help protect organizations against financial losses and data breaches”. Trusteer’s products protect online banks, brokerages, and retailers from viruses and hacker attacks and “[provide services to] hundreds of the largest banks - including Bank of America, HSBC, and RBC”.

On September 3, 2013, the Complainant lawfully acquired Trusteer. In 2014, the Complainant filed trademark applications in Australia, Canada, China, European Union, France, India, Japan, Mexico, Switzerland, the United Kingdom and the United States for TRUSTEER and TRUSTEER RAPPORT, which were approved for registration. These trademarks include:

- TRUSTEER United States trademark registration no. 4588916 in International Classes 9 and 42, registered on August 19, 2014;
- TRUSTEER International trademark registration no. 1218404 in International Classes 9, 35, and 42, registered on June 5, 2014;
- TRUSTEER RAPPORT United States trademark registration no. 4588917 in International Class 9, registered on August 19, 2014; and
- TRUSTEER RAPPORT International trademark registration no. 1220128 in International Classes 9, 35, and 42, registered on June 5, 2014.

The Complainant has incorporated Trusteer into its IBM Security portfolio, namely under the “IBM Trusteer” offering and the “IBM Trusteer Rapport” offering, which “helps financial institutions detect and prevent financial malware infections and phishing attacks within online channels”.

The disputed domain name was registered on November 5, 2025, and currently does not resolve to an active website. The Complainant’s evidence shows that the disputed domain name previously resolved to a blank webpage that automatically downloaded a suspicious file to the web browser in order to install malware onto the target machine.

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 consists of the terms “trusteer” and rapport ”(not case sensitive), which are separated by a hyphen, followed by the generic Top-Level Domain (“gTLD”) suffix “.com.” Read together, the term “trusteer-rapport” in the disputed domain name fully encompasses the Complainant’s TRUSTEER trademark and is identical to the Complainant’s TRUSTEER RAPPORT trademark – the only difference being the addition of the hyphen. This minor variation within the disputed domain name does not obviate the confusing similarity between the disputed domain name and the Complainant’s TRUSTEER RAPPORT trademark.

The Complainant has never licensed, contracted, or otherwise permitted anyone to apply to register the disputed domain name. Furthermore, there is no evidence that the Respondent is using the disputed domain name incorporating the TRUSTEER and TRUSTEER RAPPORT trademarks for a bona fide offering of goods or services, nor is there any evidence of fair use. On the contrary, the Respondent has been misusing the TRUSTEER and TRUSTEER RAPPORT trademarks in the disputed domain name in an illegitimate way, which has been documented as follows.

The Respondent has used the disputed domain name for a blank webpage that automatically downloads a suspicious file to the web browser, titled "installer.msi." This kind of misuse of the disputed domain name likely misleads Internet users into thinking the disputed domain name is associated with the Complainant, when in actuality they are not. Further, use of the Complainant's TRUSTEER and TRUSTEER RAPPORT trademarks in the disputed domain name may confuse consumers into believing the file automatically downloaded to their web browser upon visiting the disputed domain name is the Complainant's IBM TRUSTEER offerings, when such is not the case.

Additionally, the Complainant received a report from a client regarding the disputed domain name, detailing the Respondent's use of the disputed domain name for phishing, malware distribution, and impersonation of the Complainant and its IBM TRUSTEER offerings. Specifically, the report has included documentation that supports the finding that the Respondent is using the disputed domain name to inject a malicious Windows installer file (.msi) that installs HijackLoader and RemcosRAT onto the target machine. Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or illegal pharmaceuticals, phishing, distributing malware, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. As such, the Respondent is using the Complainant's trademarks to attract users to the disputed domain name with the intent of distributing malware.

In the present case, the disputed domain name is confusingly similar to Complainant's TRUSTEER and TRUSTEER RAPPORT marks, and the Respondent has no relationship to the Complainant nor the TRUSTEER and TRUSTEER RAPPORT marks. Therefore, the Respondent has registered the disputed domain name in bad faith.

The disputed domain name comprises Complainant's TRUSTEER and TRUSTEER RAPPORT marks. Google search results for "trusteer" and "trusteer rapport" serve as a testament to the high degree of recognition attributed to the Complainant's TRUSTEER and TRUSTEER RAPPORT brands. Moreover, the Complainant is a well-known company worldwide and consumers are likely to believe the disputed domain name is associated with the Complainant and its TRUSTEER and TRUSTEER RAPPORT related offerings. Further, based on an external report from a client, the Respondent is actively using the disputed domain name to carry out malicious attacks on unsuspecting users. Hence, a presumption of bad faith must be found against the Respondent.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has demonstrated it owns registered trademark rights in the well-known TRUSTEER and TRUSTEER RAPPORT marks. The disputed domain name wholly incorporates the Complainant's trademarks with the only addition being a hyphen between TRUSTEER and RAPPORT. The gTLD ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), sections 1.7 and 1.11.1, and *Hoffmann-La Roche AG v. Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org / Conan Corrigan*, WIPO Case No. [D2015-2316](#).

Accordingly, the disputed domain name is confusingly similar to the marks in which the Complainant has rights.

B. Rights or Legitimate Interests

The Complainant has presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name and has not been commonly known by the disputed domain name. The fact, inter alia, that the Respondent obtained the disputed domain name more than 10 years after the Complainant had registered and used its TRUSTEER and TRUSTEER RAPPORT marks, indicates that the Respondent sought to piggy back on the TRUSTEER and TRUSTEER RAPPORT marks for illegitimate reasons.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#); and [WIPO Overview 3.1](#), section 2.1.

Here, the Respondent has provided no evidence of any rights or legitimate interests in the disputed domain name. Moreover, the evidence provided by the Complainant shows that the disputed domain name previously resolved to a website which contained a malware download. Further the Complainant provided evidence that the disputed domain name was used for potential malware attacks.

In the absence of any evidence rebutting the Complainant's prima facie case indicating the Respondent's lack of rights or legitimate interests in respect of the disputed domain name, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The disputed domain name was registered many years after the Complainant first registered and used the well-known TRUSTEER and TRUSTEER RAPPORT marks. The evidence on the record provided by the Complainant with respect to the extent of use of the TRUSTEER and TRUSTEER RAPPORT marks, is sufficient to satisfy the Panel that, at the time the disputed domain name was registered, the Respondent undoubtedly knew of the Complainant's TRUSTEER and TRUSTEER RAPPORT marks.

The Panel cannot contemplate any other reason as to why the Respondent would have registered the disputed domain name containing the entirety of the TRUSTEER and TRUSTEER RAPPORT marks, with the only addition being a hyphen other than to target and unfairly benefit from the reputation and goodwill associated with the Complainant's marks.

Further, the Panel finds the use of the disputed domain name by Respondent is in bad faith. Paragraph 4(b)(iv) of the Policy states that evidence of bad faith may include a respondent's use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent's website or other online location, by creating a likelihood of confusion with the complainant's mark. The Complainant has alleged and provided evidence that the Respondent previously used the disputed domain name to both create a website that allowed for the download of malware and to send potential phishing attacks against the Complainant's customers which clearly amounts to bad faith use on the part of the Respondent.

In the absence of any evidence or explanation from the Respondent, the Panel finds that the only plausible basis for registering and using the disputed domain name has been for illegitimate and bad faith purposes.

Accordingly, the Panel finds that Complainant has satisfied paragraph 4(a)(iii) 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 <trusteer-rapport.com> be transferred to the Complainant.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: April 9, 2026