ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Osborne Clarke LLP v. Nana Wale
Case No. D2026-0495

1. The Parties

The Complainant is Osborne Clarke LLP, United Kingdom, internally represented.

The Respondent is Nana Wale, Ghana.

2. The Domain Name and Registrar

The disputed domain name <osborneclarkefirm.com> (the "Domain Name") is registered with Global Domain Group LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 5, 2026. On February 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 9, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 12, 2026.

The Center appointed Nicholas Smith as the sole panelist in this matter on March 19, 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 is a law firm based in the United Kingdom, incorporated under the name Osborne Clarke LLP in 2015 but trading (through its predecessors in title) under the OSBORNE CLARKE mark since 1980. The Complainant has three offices in the United Kingdom, employes over 1,000 people, and has annual turnover of greater than GBP 250 million. The Complainant promotes its operations through various means including from its website at "www.osborneclarke.com".

The Complainant holds a United Kingdom trademark registration for the OSBORNE CLARKE Mark (registration number UK00002129400), registered on September 26, 1997 for goods and services in classes 35, 36, and 42.

The Domain Name was registered on November 10, 2025. The Domain Name is presently inactive but prior to the commencement of the proceeding resolved to an incomplete website, simply stating "Osborneclarkefirm Law Firm Home Law Firm All Rights Reserved" ("Respondent's Website").
The Complaint contains evidence that the Respondent has sent an email from an address ending in "@osborneclarkefirm.com" purporting to be an email from an individual associated with the Complainant (a retired partner) relating to the provision of legal advice.

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 Domain Name.

Notably, the Complainant contends that:

a) It is the owner of the OSBORNE CLARKE Mark, having registered the OSBORNE CLARKE Mark in the United Kingdom. The Domain Name is confusingly similar to the OSBORNE CLARKE Mark as it reproduces the OSBORNE CLARKE Mark in its entirety, and adds the additional element "firm" (along with the ".com" generic Top-Level Domain).

b) There are no rights or legitimate interests held by the Respondent in respect of the Domain Name. The Complainant has not granted any license or authorization for the Respondent to use the OSBORNE CLARKE Mark. The Respondent is not commonly known by the OSBORNE CLARKE Mark, nor does it use the Domain Name for a bona fide purpose or legitimate noncommercial purpose. Rather, the Domain Name is used for emails impersonating the Complainant, which does not provide the Respondent with rights or legitimate interests in the Domain Name.

c) The Domain Name was registered and is being used in bad faith. The Domain Name is being used to create emails that impersonate the Complainant (indeed a named individual associated with the Complainant). This amounts to an attempt to perpetuate fraud.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here, "firm", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. WIPO Overview 3.1, 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 that 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 3.1, section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel considers that the record of this case reflects that:

a) Before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. Paragraph 4(c)(i) of the Policy, and WIPO Overview 3.1, section 2.2.

b) The Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Name. Paragraph 4(c)(ii) of the Policy, and WIPO Overview 3.1, section 2.3.

c) The Respondent is not making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and WIPO Overview 3.1, section 2.4.

d) The record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Name.

The Respondent's Website, being an incomplete website, is not a bona fide offering of goods or services or a legitimate noncommercial or fair use. Furthermore, the Respondent's use of the Domain Name is in connection with a phishing scheme, namely to send emails passing itself off as the Complainant, with the clear aim of misleading recipients for the Respondent's eventual commercial gain. Panels have held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or (unlicensed) pharmaceuticals, phishing/identity theft, distributing malware, unauthorized account access/hacking, copycat sites, passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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.

Panels have held that the use of a domain name for illegal activity, here, phishing/identity theft, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel is satisfied that the Domain Name is being used for phishing purposes and thus finds the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy. The Domain Name has been used to create an email account from which the Respondent sent an email impersonating the Complainant seeking to mislead recipients as to the identity of the sender for its own commercial gain. Such conduct is deceptive, illegal, and in previous UDRP decisions has been found to be evidence of registration and use in bad faith, see *The Coca-Cola Company v. Marcus Steiner*, WIPO Case No. D2012-1804.

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 Domain Name <osborneclarkefirm.com> be transferred to the Complainant.

/Nicholas Smith/
Nicholas Smith
Sole Panelist
Date: March 25, 2026