

ADMINISTRATIVE PANEL DECISION

IMC B.V. v. ronniel johnson
Case No. D2026-1016

1. The Parties

The Complainant is IMC B.V., United States of America (“United States”), represented by DLA Piper US LLP, United States.

The Respondent is ronniel johnson, France.

2. The Domain Name and Registrar

The disputed domain name <imc-point.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 9, 2026. On March 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 10, 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 (Redacted for Privacy, the RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 11, 2026, 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 March 11, 2026.

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 March 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 8, 2026.

The Center appointed Luca Barbero as the sole panelist in this matter on April 20, 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 founded in 1989 by two traders working on the floor of the Amsterdam Equity Options Exchange and, since then, has expanded internationally, opening offices in Amsterdam, Netherlands, the United States, Australia, India, the United Kingdom, and Hong Kong, China. The Complainant is trading primarily on the basis of data and algorithms and using its execution platform to provide liquidity to financial markets globally.

The Complainant is the owner of several trademark registrations for IMC, including the following, as per trademark registration details submitted as annex C to the Complaint:

- United States trademark registration No. 3643617 for IMC (word mark), filed on June 26, 2007, and registered on June 23, 2009, in international class 36;
- United States trademark registration n. 6450807 for IMC (figurative mark), filed on July 23, 2019, and registered on August 17, 2021, in international class 36;
- European Union trademark registration No. 13380431 for IMC (figurative mark), filed on October 20, 2014, and registered on March 16, 2015;
- United Kingdom trademark registration No. UK00913380431 for IMC (figurative mark), filed on October 20, 2014, and registered on March 16, 2015, in international class 36.

The Complainant is also the owner of the domain name <imc.com>, which was registered on December 29, 1997, and is used by the Complainant to promote its services under the trademark IMC.

The disputed domain name <imc-point.com> was registered on November 24, 2025, and is currently not redirected to an active website. However, according to the screenshots submitted as Annex K to the Complaint – which have not been contested by the Respondent -, prior to the present proceeding it resolved to a website promoting purported business offerings for Forex trading and brokerage services.

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 confusingly similar to the trademark IMC in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the generic term "point" and the generic Top-Level Domain ("gTLD") ".com".

The Complainant further submits that the addition of the term "point" exacerbates the likelihood of confusion between the disputed domain name and Complainant's IMC marks because "point" is a generic reference in the field of financial trading to a price movement for a stock or security on an exchange.

The Complainant states that the Respondent does not have any rights or legitimate interests in respect of the disputed domain name since the Respondent is not commonly known by the disputed domain name and the

Complainant has not licensed or otherwise permitted the Respondent to use its IMC marks, or to apply for or use any domain name incorporating the IMC marks.

The Complainant submits that the Respondent has made no bona fide offering of goods or services in connection with the disputed domain name since it resolved prior to this proceeding to a website promoting purported business offerings for Forex trading and brokerage services. The Complainant highlights that the website at the disputed domain name claimed the Respondent was based in Liechtenstein, but no entity named like the Respondent appears to exist in such country based on the Complainant's online searches. The Complainant further submits that the website to which the disputed domain name resolved appeared to be a copy of another website published at a different domain name, and that the disputed domain name was reported by the Federal Financial Supervisory Authority (BaFin), the German Federal Criminal Police Office (Bundeskriminalamt), and the German state criminal police offices (Landeskriminalämter), which warned customers about the activities carried out on the Respondent's website.

The Complainant concludes that the Respondent used the disputed domain name to engage in unauthorized, unlawful activities causing consumers to mistakenly believe that the disputed domain name was associated or affiliated with Complainant and the IMC marks.

The Complainant states that the Respondent registered the disputed domain name in bad faith because, given the Complainant's worldwide reputation, especially in the financial industry, combined with the fact that Respondent's activities appear to be unlawful, the Respondent must have been aware of the IMC marks prior to registering the disputed domain name.

The Complainant asserts that the Respondent did not register the disputed domain name to actually offer services but for the bad-faith purpose of intentionally attempting to attract users to its website by creating a likelihood of confusion with the Complainant's IMC marks. The Complainant also contends that the Respondent has intentionally attempted to trade off the goodwill the Complainant has established in its IMC marks.

The Complainant points out that the Respondent appears to have used incomplete or incorrect contact information in the registration records of the disputed domain name and submits that this circumstance further demonstrates the Respondent's bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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 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. Indeed, the Complainant has provided evidence of valid trademark registrations for IMC.

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 3.1](#), section 1.7.

Although the addition of other terms, here, "point", 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 mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

As to the gTLD ".com", it is a standard registration requirement and can be disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Therefore, 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 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.

According to the evidence on record, there is no relationship between the Complainant and the Respondent, and the Complainant has not authorized the Respondent to register or use its trademark or the disputed domain name.

Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name. Indeed, the registrant's name indicated in the registration records does not correspond to the wording encompassed in the disputed domain name. Moreover, according to the Complainant's submissions – which have not been contested by the Respondent – the copyright line of the website referred to an entity named "ImcPoint" based in Lichtenstein, but it appears that no entity with that name exists in that country.

Even though the disputed domain name does not currently resolve to an active website, based on the evidence provided by the Complainant, the disputed domain name resolved prior to this proceeding to a website promoting purported business offerings for Forex trading and brokerage services. Such use of the disputed domain name suggests that the Respondent was indeed aware of the Complainant and its trading services and intended to attract Internet users to its website by creating a likelihood of confusion and association with the Complainant.

Therefore, the Panel concludes that the Respondent has not made use of, or preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial use without intention to misleadingly divert consumers or to tarnish the IMC marks.

Therefore, the Panel finds the second element of the Policy has also 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, the Panel finds that in view of: i) the Complainant's prior rights in the IMC marks; ii) the Complainant's global reach on the Internet and on search engines; iii) the composition of the disputed domain name; and iv) its use in connection with a website providing services related to the same field of activity as the Complainant, the Respondent knew or should have known of the Complainant and its IMC marks at the time of registration. [WIPO Overview 3.1](#), section 3.2.2.

The Panel also finds that, in view of the initial redirection of the disputed domain name to the website described above, providing services similar to those offered by the Complainant, the Respondent intentionally attempted to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the IMC marks as to the source, sponsorship, affiliation or endorsement of its website according to paragraph 4(b)(iv) of the Policy.

The disputed domain name currently does not resolve to an active website. Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's trademark, the composition of the disputed domain name the prior use of the disputed domain name made by the Respondent, and the Respondent's failure to submit a Response and its use of inaccurate contact details. In these circumstances, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <imc-point.com> be transferred to the Complainant.

/Luca Barbero/

Luca Barbero

Sole Panelist

Date: May 5, 2026