

ADMINISTRATIVE PANEL DECISION

Open Society Institute v. Dena Beasley, Dena Beasley
Case No. D2026-1784

1. The Parties

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

Respondent is Dena Beasley, Dena Beasley, United States.

2. The Domain Name and Registrar

The disputed domain name <opensocietysfoundation.org> (the “Domain Name”) is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 25, 2026. On April 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 28, 2026, the Registrar transmitted by email to the Center its verification response confirming that 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 Respondent of the Complaint, and the proceedings commenced on May 13, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was June 2, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on June 3, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on June 9, 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

Complainant is a United States charitable trust with its headquarters in New York, New York. Complainant is a philanthropic organization that works to build vibrant and tolerant societies whose governments are accountable and open to the participation of all people. Complainant funds a range of programs around the world, from public health to education to business development. Complainant owns the following United States trademark registrations relevant to this matter:

- OPEN SOCIETY FOUNDATIONS, United States Reg. No. 4,248,358, registered November 27, 2012, in International Classes 9, 16, 36, 38, and 41;
- OPEN SOCIETY POLICY CENTER, United States Reg. No. 3,769,307, registered March 30, 2010, in International Classes 35 and 36; and
- OPEN SOCIETY INSTITUTE, United States Reg. No. 2,412,029, registered December 12, 2000, in International Classes 16, 36, 41, and 42.

Collectively, these registered trademark rights are referred to as the “OPEN SOCIETY Marks”.

The Domain Name was registered on April 15, 2026. The Domain Name resolves to a website that displays the OPEN SOCIETY FOUNDATIONS trademark in a manner intended to mislead Internet users into believing that the website is operated by, or associated with, Complainant.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

With respect to the first element of the Policy, Complainant contends that the Domain Name is identical or confusingly similar to trademarks in which Complainant has rights. Complainant asserts that it has longstanding trademark rights in OPEN SOCIETY Marks, including OPEN SOCIETY FOUNDATIONS, OPEN SOCIETY INSTITUTE, and OPEN SOCIETY POLICY CENTER, through use and registration.

According to Complainant, the Domain Name is virtually identical to and confusingly similar to the OPEN SOCIETY FOUNDATIONS trademark. The Domain Name merely adds the letter “s” to the end of the word SOCIETY and removes the letter “s” in the word “foundations,” in an obvious attempt to capitalize on typographical errors made by Internet users. Complainant argues that the use of a trademark in a domain name in which letters have been omitted, added, inverted, or substituted is commonly known as “typosquatting” and does not negate the confusingly similar aspects of the domain name pursuant to paragraph 4(a)(i) of the Policy.

With respect to the second element of the Policy, Complainant contends that Respondent has no rights or legitimate interests in the Domain Name. Complainant states that it has not sponsored, authorized, or otherwise permitted Respondent to use Complainant’s OPEN SOCIETY Marks in any manner, including in domain names. Complainant notes that Respondent is not commonly known by the Domain Name and that the name “Dena Beasley” does not resemble the Domain Name in any manner, and there is no evidence in the record that Respondent has acquired any trademark or service mark rights in “opensocietysfoundation”.

Complainant provides evidence that Respondent uses the Domain Name to host a website that prominently displays Complainant’s trademarks and references to its humanitarian efforts, thereby creating consumer confusion and demonstrating that Respondent had actual or constructive knowledge of Complainant’s trademarks prior to registration of the Domain Name. Complainant further alleges that Respondent’s website includes a fraudulent “Grant Recipient Verification” portal designed to solicit sensitive personal information and confidential beneficiary codes from users misled into believing the site is affiliated with Complainant’s

well-known philanthropic grant programs, thereby creating a serious risk of phishing, fraud, or other malicious activity.

With respect to the third element of the Policy, Complainant contends that the Domain Name was registered and is being used in bad faith. Complainant asserts that its OPEN SOCIETY Marks are known internationally, with trademark registrations in the United States, and Complainant has marketed and provided services using these trademarks since well before Respondent's registration of the Domain Name on April 15, 2026. By registering a domain name that incorporates Complainant's OPEN SOCIETY FOUNDATIONS trademark in its entirety with only minor variations, Complainant alleges that Respondent has created a domain name that is confusingly similar to Complainant's trademarks and its <opensocietyfoundations.org> domain name. Respondent has demonstrated knowledge of and familiarity with Complainant's brand and business, as evidenced by the website that copies Complainant's actual website and references its grants program. Complainant notes that such conduct is characteristic of phishing or fraudulent schemes and demonstrates that Respondent has intentionally attempted to attract Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement.

Complainant maintains that Respondent's conduct falls squarely within paragraph 4(b)(iv) of the Policy, as Respondent creates a likelihood of confusion with Complainant and its trademarks by registering a confusingly similar domain name and using it to host a website nearly identical to Complainant's own.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted, paragraph 4 of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must still prove its assertions with evidence demonstrating:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

Because of Respondent's default, the Panel may accept as true the reasonable factual allegations stated within the Complaint and may draw appropriate inferences therefrom. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also paragraph 5(f) of the Rules ("If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint"). Having considered the Complaint, the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel's findings on each of the above-cited elements are as follows.

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 Complainant's trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7. Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.1](#), section 1.2. On this point, Complainant has provided evidence that it is the owner of the OPEN SOCIETY FOUNDATIONS trademark.

The remaining question under the first element is whether the Domain Name is identical or confusingly similar to Complainant's mark. The Domain Name is plainly a close misspelling of the OPEN SOCIETY FOUNDATIONS trademark. As discussed in the [WIPO Overview 3.1](#), section 1.9, the consensus view is that "[a] domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element". Similarly, previous UDRP panels have consistently held that "a mere addition or a minor misspelling of Complainant's trademark does not create a new or different mark in which Respondent has legitimate rights". *Express Scripts, Inc. v. Whois Privacy Protection Service, Inc. / Domaindeals, Domain Administrator*, WIPO Case No. [D2008-1302](#). ("Such insignificant modifications to trademarks are commonly referred to as 'typosquatting' or 'typo-piracy,' as such conduct seeks to wrongfully take advantage of errors by users in typing domain names into their web browser's location bar.") The spelling errors used in typosquatting have been found to produce domain names that are confusingly similar to the marks that they mimic. See, e.g., *Yahoo! Inc. and GeoCities v. Data Art Corp., DataArt Enterprises, Inc., Stonybrook Investments, Global Net 2000, Inc., Powerclick, Inc., and Yahoo Search, Inc.*, WIPO Case No. [D2000-0587](#). Here, the Domain Name is confusingly similar to OPEN SOCIETY FOUNDATIONS trademark, merely adding the letter "s" between "society" and "foundations" and deleting the letter "s" from "foundations".

The first element of the Policy has been satisfied.

B. Rights or Legitimate Interests

Under the Policy's second element, paragraph 4(a)(ii), Complainant has the burden of establishing that Respondent has no rights or legitimate interests in the Domain Name. Complainant needs to make a prima facie showing on this element, at which point the burden of production shifts to Respondent to present evidence that it has rights or legitimate interests in the Domain Name. If Respondent has failed to do so, Complainant is deemed to have satisfied its burden under paragraph 4(a)(ii) of the Policy. See *Vicar Operating, Inc. v. Domains by Proxy, Inc. / Eklin Bot Systems, Inc.*, WIPO Case No. [D2010-1141](#).

In this case, Complainant has put forward a compelling prima facie case that Respondent has no rights or legitimate interests in the Domain Name. Complainant states that it has never authorized or permitted Respondent to use the OPEN SOCIETY Marks, and there is no evidence of any relationship between the Parties that would give rise to any license or permission for Respondent to use this trademark. Respondent is not commonly known by the Domain Name or by any name corresponding to "Open Society Foundation". Indeed, the registrant name associated with Respondent is "Dena Beasley", which has no connection to the OPEN SOCIETY Marks or the Domain Name.

Respondent has not rebutted 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 Policy¹ or otherwise.

Instead, the record demonstrates that Respondent has engaged in conduct that negates any claim to legitimate interests. Specifically, Respondent has operated a website that impersonates Complainant by using Complainant's trademarks and which features a fraudulent "Grant Recipient Verification" portal that invites users to enter verification codes or personal information to access grant details. This conduct constitutes classic impersonation and passing off, designed to mislead consumers into believing they are dealing with Complainant's authorized channels. Given that Complainant is widely known for providing

¹ The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: "(i) before any notice to you of the dispute, your use of, or 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; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are 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."

philanthropic grants, Internet users who are misled may disclose sensitive personal information and/or confidential beneficiary codes under the false impression that the website is operated by or affiliated with Complainant. Such impersonation is inconsistent with bona fide use and constitutes clear evidence of an intent to capitalize on Complainant's reputation. Panels have held that the use of a domain name for illegitimate activity such as phishing, identity theft, 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.

Respondent had the opportunity to demonstrate any rights or legitimate interests, but failed to do so. Respondent has not provided any justification that could fall under the safe harbors of the Policy paragraph 4(c). There is also no evidence that Respondent is making a fair use of the Domain Name.

Based on the foregoing, Complainant has made a prima facie showing of Respondent's lack of any rights or legitimate interests, and Respondent has failed to come forward to rebut that showing.

The Panel finds that Respondent does not have rights or legitimate interests in the Domain Name and that Complainant has met its burden under paragraph 4(a)(ii) of the Policy

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, Complainant must show that Respondent registered and is using the Domain Name in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy.

Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with Complainant's OPEN SOCIETY Marks as to the source, sponsorship, or affiliation of the website and the services offered on it. The Domain Name was registered in April 2026, long after Complainant established its rights in the OPEN SOCIETY Marks and had begun using the OPEN SOCIETY Marks for its services.

Bad faith registration can be found where a respondent "knew or should have known" of a complainant's trademark rights and nevertheless registered a domain name in which it had no rights or legitimate interests. See *Accor v. Kristen Hoerl*, WIPO Case No. [D2007-1722](#). Here, the evidence that Respondent's website mimicked Complainant leaves no doubt that Respondent knew of and targeted Complainant when registering the Domain Name. Respondent's choice of the Domain Name was not a coincidence. Instead, it was intended to give Internet users the false impression that the Domain Name and corresponding website are owned by, operated by, or affiliated with Complainant. In the view of the Panel, Respondent's deliberate impersonation of Complainant demonstrates that Respondent registered the Domain Name with Complainant's trademark firmly in mind and with the intention of exploiting it. This supports a finding of bad faith registration. See [WIPO Overview 3.1](#), section 3.2.2 (noting that panels may find bad faith where a respondent knew or should have known of a complainant's mark and nevertheless registered a domain name incorporating that mark). There is no explanation for Respondent to have chosen to register the Domain Name other than to intentionally trade off the goodwill and reputation of Complainant's trademark or otherwise create a false association with Complainant. With no response from Respondent, Complainant's claim concerning Respondent's scheme is undisputed.

Turning to the use of the Domain Name, the evidence establishes that Respondent operates a website that references Complainant's humanitarian efforts. This website was designed to impersonate Complainant and mislead Internet users into believing that the Domain Name and its website were associated with Complainant. Respondent's bad faith is further evidenced by the fraudulent "Grant Recipient Verification" portal featured on the website. This portal invites users to submit grant verification codes or personal identifying information to access alleged grant details. Given Complainant's well-known philanthropic activities, particularly its grant-making programs, this creates a high likelihood that Internet users will be deceived into believing the website is operated by, or affiliated with, Complainant and will disclose sensitive information under that false impression. Such actions constitute bad faith use of a domain name within the meaning of Policy paragraph 4(b)(iv). In addition, such conduct also inevitably disrupts Complainant's

business (e.g., by diverting potential sales or damaging customer trust), which is evidence of bad faith under Policy paragraph 4(b)(iii). See also [WIPO Overview 3.1](#), section 3.1 (evidence of mimicking the complainant's website is evidence that a respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark).

As detailed above, the Panel finds on the record before it that Respondent's intention in registering the Domain Name was to attract, for commercial gain, Internet users to Respondent's website by creating a likelihood of confusion with the OPEN SOCIETY Marks as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location, and its use has the likely effect of disrupting Complainant's business. Thus, the Panel holds that Complainant has met its burden of providing sufficient evidence that Respondent registered and is using the Domain Name in bad faith under paragraph 4(b)(iii) and (iv) of the Policy. Respondent's current use of the Domain Name to resolve to an inactive website does not prevent this finding, for the reasons set forth above. [WIPO Overview 3.1](#), section 3.3.

For these reasons, the Panel holds that Complainant has met its burden of showing that Respondent registered and is using the Domain Name in bad faith under 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 Domain Name, <opensocietysfoundation.org>, be transferred to Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: June 22, 2026