

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. Name Redacted
Case No. D2026-1795

1. The Parties

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

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <ibm-power11.com> is registered with eNom, LLC (“Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (“Center”) on April 27, 2026. On April 28, 2026, the Center transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name. On April 28, 2026, Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name that differed from that in the Complaint (e.g., the Complaint named “John Doe” as Respondent; the registrant’s name was listed as “Redacted for Privacy” in the WhoIs records). The Center sent an email communication to Complainant on April 29, 2026, providing the registrant and contact information disclosed by Registrar and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on May 4, 2026.

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 (“Policy”), the Rules for Uniform Domain Name Dispute Resolution Policy (“Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (“Supplemental Rules”).

¹For the reasons discussed in elsewhere in this decision: (A) pursuant to the Policy, paragraph 4(j), the Panel finds this is an exceptional case and has redacted the name of the registrant from this decision, and (B) pursuant to the Rules, paragraph 16(b), the Panel has identified the registrant Annex 1 to this decision, which instructs the Registrar to transfer the disputed domain name in accordance with this decision, and has determined that Annex 1 shall not be published.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on May 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 27, 2026.

The Center appointed Debra J. Stanek as the sole panelist in this matter on June 1, 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.

On June 12, 2026, the Center received a copy of email communications between Registrar and [Name Redacted] in which [Name Redacted] indicated that it had no record of owning or registering the disputed domain name.

4. Factual Background

Complainant is a technology and consulting organization with locations worldwide. It owns a number of trademark registrations, in the United States and throughout the world for the marks IBM, POWER, and POWER11, including:

IBM:

- United States Reg. No. 640,606, registered January 29, 1957, for magnetic recording tape.
- United States Reg. No. 1,243,930, registered June 28, 1983, for computer time sharing services.

POWER:

- United States Reg. No. 3,500,053, registered September 9, 2008, for computer software and related services.

POWER11:

- European Union Reg. No. 1888535 registered September 15, 2025, for a variety of computer hardware.

The disputed domain name was registered on February 6, 2026. Both at the time the Complaint was filed and at the time of this decision, the disputed domain name redirects visitors to a page on Complainant's website that offers Complainant's POWER products. Complainant did not receive a response to cease and desist letters sent to Respondent through Registrar.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

In particular:

- Complainant is a long-established and well-known global brand.
- The disputed domain name consists of the IBM mark, followed by a hyphen and "power11," which is identical to Complainant's POWER11 mark and incorporates Complainant's POWER mark.

- Complainant has not authorized anyone to use the disputed domain name.
- Respondent must have been aware of Complainant's marks when it registered the disputed domain name:
- Complainant's rights in its IBM mark predate registration by at least 63 years and are known throughout the world.
- Respondent redirected the disputed domain name to a page on Complainant's website that displays its POWER offerings, at one point including a "log-in tab," suggesting that it intended to obtain information from visitors. Respondent also configured an email server on the disputed domain name.
- Respondent did not respond to Complainant's cease and desist letter.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To prevail under the Policy a complainant must prove, as to the domain name at issue, that: (a) it is identical or confusingly similar to a mark in which the complainant has rights; (b) respondent has no rights or legitimate interests in respect to it; and (c) it has been registered and is being used in bad faith. Policy, paragraph 4(a). A respondent's failure to respond does not automatically result in a finding for the complainant; the complainant continues to have the burden of establishing each element. Rules, paragraphs 5(f) and 14(a); see also WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3. The Panel may, however, draw appropriate inferences from the default. See Rules, paragraph 14(b).

The Panel determines that the registrant disclosed by Registrar is the appropriate Respondent even though [Name Redacted] has denied ownership or registration of the disputed domain name. See [WIPO Overview 3.1](#), section 4.4.5 (in cases involving a privacy service, Panel has discretion to determine appropriate respondent).

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 disputed domain name. [WIPO Overview 3.1](#), section 1.7.

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 each of Complainant's IBM, POWER, and POWER11 marks are 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.

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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in proceedings under the Policy 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 remains on the complainant). If the respondent fails to come forward with relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed 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 disputed domain name such as those enumerated in the Policy or otherwise.

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.

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 3.1](#), section 3.2.1.

Complainant’s evidence shows: Complainant’s IBM mark is extremely well known. Complainant’s rights in its IBM, POWER, and POWER11 marks each predate registration of the disputed domain name. Respondent knew of Complainant and Complainant’s mark because Respondent redirects visitors to Complainant’s website. Both redirection to Complainant’s site and display of the login form are use in bad faith in the circumstances of this case.

In addition, the Panel notes that, based on the email communication from [Name Redacted], it appears use of its name as the registrant name was not authorized by it and is in fact false. Respondent failed to respond in these proceedings. Under these circumstances, the Panel finds Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds the third element of the Policy has been established.

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 <ibm-power11.com> be transferred to Complainant.

/Debra J. Stanek/

Debra J. Stanek

Sole Panelist

Date: June 15, 2026