

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. Chauncey McPufferson, Bitly
Case No. D2026-1936

1. The Parties

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

The Respondent is Chauncey McPufferson, Bitly, United States.

2. The Domain Name and Registrar

The disputed domain name <ibmcreator.com> is registered with Wild West Domains, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 5, 2026. On May 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 5, 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 / Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 6, 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 amendment to the Complaint on May 6, 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 (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 May 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 28, 2026.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on June 4, 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 owns and has owned trademark registrations for the IBM mark in 131 jurisdictions around the world for several decades. The Complainant owns the following registrations for the IBM mark in the United States, where the Respondent apparently is located:

Trademark Registration No. 4,181,289 registered on July 31, 2012 in International Classes 6, 9, 16, 18, 20, 21, 22, 25, 28, 35, and 41;

Trademark Registration No. 3,002,164, registered on September 27, 2005 in International Class 9;

Trademark Registration No. 1,696,454, registered on June 23, 1992 in International Class 36;

Trademark Registration No. 1,694,814, registered on June 16, 1992 in International Class 36;

Trademark Registration No. 1,243,930, registered on June 28, 1983 in International Class 42;

Trademark Registration No. 1,205,090, registered on August 17, 1982 in International Classes 1, 9, 16, 37, and 41;

Trademark Registration No. 1,058,803, registered on February 15, 1977 in International Classes 1, 9, 16, 37, 41, and 42; and

Trademark Registration No. 640,606 registered on January 29, 1957 in International Class 9.

The Complainant is a designer and manufacturer of a wide array of products that record, process, communicate, store, and retrieve information, including computers and computer hardware, software, and accessories.

In 2024, the Complainant was ranked the 16th most valuable global brand by BrandZ, the 19th best global brand by Interbrand.

The Complainant has been offering products under the IBM mark since February 14, 1924.

Numerous prior UDRP panels have concluded that the IBM mark is famous. See, *International Business Machines Corporation v. Niculescu Aron Razvan Nicolae*, WIPO Case No. [DRO2010-0003](#), the panel concluded that the Complainant's "trademark is well-known around the world [...] and is registered for decades. Also, the IBM trademark is distinctive and therefore it is difficult to imagine someone randomly choosing the three letters composing the trademark to register as a domain name [...]".

A panel concluded in another decision "[IBM] trademark is well-known around the world, representing the abbreviation of its trade name." See *International Business Machines Corporation v. Linux Security Systems srl*, WIPO Case No. [DRO2010-0004](#). A panel stated in another decision "The 'IBM' [...] letter trademark [is] used by [one] of the world's largest industrial corporations and without doubt [is] 'well-known' within the meaning of Article 6bis of the Paris Convention." See *Physik Instrumente GmbH. & Co. v. Stefan Kerner and Jeremy Kerner and Magic Moments Design Limited*, WIPO Case No. [D2000-1001](#).

The disputed domain name was registered on March 9, 2026 and is being used to redirect users to the Complainant's official website at the domain name <ibm.com>.

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 letters "ibm" (not case sensitive), followed by the word "creator", and the generic Top-Level Domain ("gTLD") extension ".com". The letters "ibm" contained in the disputed domain name are exactly the same as the Complainant's IBM trademark. The relevant IBM trademark is recognizable within the disputed domain name and the use of the word "creator" should not dispel the confusing similarity between the IBM mark and the disputed domain name.

The Complainant has never licensed, contracted, or otherwise permitted anyone to register the disputed domain name. Furthermore, there is no evidence that the disputed domain name is similar to the name of the Respondent or their business entity. Nor is there evidence that the Respondent is using the disputed domain name incorporating the Complainant's IBM trademark for a bona fide offering of goods or services or noncommercial fair use.

Such unauthorized use of the IBM trademark is likely to trick consumers into erroneously believing that the Complainant is somehow affiliated with the Respondent or endorsing its commercial activities, while in fact no such relationship exists. Therefore, the Complainant can affirm with good faith that: there is no evidence of any Respondent's use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with any bona fide offering of goods or services; the Respondent has not been commonly known by the disputed domain name; and the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name.

The Respondent was well aware of the Complainant's trademarks at the time the Respondent registered disputed domain name on March 9, 2026. The Complainant's trademarks are well-known around the world. The Complainant relies on the extensive range of registered trademarks for IBM to which references have already been made. This is proof of bad faith at the time of registration.

The Respondent's undoubted familiarity with the Complainant's world-famous IBM mark at the time of registering the disputed domain name, the confusing similarity between the disputed domain name and the Complainant's marks, and the fact the disputed domain name redirects to the Complainant's website are in combination conclusive proof that the disputed domain name was registered, and is being used, in bad faith.

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 famous IBM mark. The addition of the term "creator" does not prevent the Complainant's trademark from being recognizable in the disputed domain name. The disputed domain name wholly incorporates the Complainant's trademark. The gTLD ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7. and *F. 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 a mark 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 over 100 years after the Complainant had begun using its IBM mark, indicates that the Respondent sought to piggyback on the IBM mark 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 section 2.1 of the [WIPO Overview 3.1](#).

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 redirects to the Complainant's actual website

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 years after the Complainant first used its marks. The evidence provided by the Complainant makes it clear that the Respondent undoubtedly knew of the Complainant's marks and knew that it had no rights or legitimate interests in the disputed domain name when it registered the disputed domain name.

There is no apparent benign reason for the Respondent to have registered the disputed domain name that is a variant of the Complainant's marks.

Further, the Panel finds the use of the disputed domain name by the 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 shown that the disputed domain name redirects to the Complainant's website. Noting the risk of implied affiliation arising from the composition of the disputed domain name, the Respondent's control over the disputed domain name is a hanging threat over the Complainant as the misleading nature of the disputed domain name is enhanced with the redirection to the Complainant's website. Panels have found that given that the use of a domain name for redirecting the domain name to or mimicking the complainant's (or a competitor's) website is manifestly considered evidence of bad faith. See section 3.1.4 of the [WIPO Overview 3.1](#).

In the absence of any evidence or explanation from the Respondent, given the fame of the Complainant's mark and the use of the disputed domain name, 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 the 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 <ibmcreator.com> be transferred to the Complainant.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: June 8, 2026