ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Gibson, Dunn & Crutcher LLP v. Hello There, None
Case No. D2026-1948

1. The Parties

The Complainant is Gibson, Dunn & Crutcher LLP, United States of America, represented by Gibson Dunn & Crutcher, LLP, United States.

The Respondent is Hello There, None, United States.

2. The Domain Name and Registrar

The disputed domain name <gibsondum.com> (the "Disputed Domain Name") is registered with GoDaddy.com, 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 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On May 6, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 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 May 13, 2026.

The Center verified that the Complaint together with the amended Complaint (hereafter, the amended Complaint is referred to simply as 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 16, 2026.

The Center appointed Douglas M. Isenberg, Phillip V. Marano, and Jeffrey M. Samuels as panelists in this matter on June 30, 2026. The Panel finds that it was properly constituted. Each member of 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 states that it was founded in 1890, "has been known as Gibson Dunn since at least 1911", and is "a prominent international law firm headquartered in Los Angeles, California" with "more than 2,000 attorneys across 22 offices in the United States, Europe, Asia, and the Middle East." The Complainant states, and provides documentation in support thereof, that it is the owner of U.S. Reg. No. 2,614,712 for GIBSON DUNN (registered September 3, 2002) for use in connection with "legal services; and providing information in the field of law via a website on global computer networks." This registration is referred to herein as the "GIBSON DUNN Trademark". The Complainant states that it is the registrant of "numerous domain names consisting of or incorporating" the GIBSON DUNN Trademark, including <gibsondunn.com>, which it says it registered and has been using since 1997.

The Disputed Domain Name was created on September 29, 2024. The Complainant states, and provides documentation in support thereof, that the Disputed Domain Name is not associated with an active website.

The Complainant previously filed a complaint under the Policy regarding the Disputed Domain Name, which resulted in a decision dated October 1, 2025, ordering transfer of the Disputed Domain Name to the Complainant. *Gibson, Dunn & Crutcher LLP v. Eburg City*, WIPO Case No. D2025-2987. The Complainant states:

"Unfortunately, control over gibsondum.com was fraudulently intercepted by Respondent. After receiving the panel's order to transfer gibsondum.com to Complainant, Namecheap, Inc., the prior registrar of gibsondum.com, requested that Complainant provide certain details for verification purposes. Gibson Dunn provided those details on the same day, and on October 10, 2025, gibsondum.com was in fact transferred to Gibson Dunn's account. [...]

On October 17, 2025, the Gibson Dunn team contacted Namecheap, Inc. to initiate the transfer of the domain name to Gibson Dunn's account at GoDaddy.com. Namecheap, Inc. confirmed that Gibson Dunn would be able to transfer the domain name and instructed Gibson Dunn to request an authorization (EPP) code to facilitate the transfer. However, because Namecheap, Inc. had failed to disable privacy protection/registrant-contact redirection for the domain name, the EPP code was automatically emailed to a privacy-shielded email address controlled by the Respondent. As a result, the Respondent intercepted the code and maliciously initiated an unauthorized transfer to a GoDaddy account controlled by the Respondent."

The Complainant also states that it "subsequently attempted to contact GoDaddy.com and Namecheap, Inc. to reverse the fraudulent transfer and regain ownership over gibsondum.com," that "GoDaddy.com stated that they did not have the ability to reverse the transfer" and that "Namecheap, Inc. did not respond."

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 GIBSON DUNN Trademark because, inter alia, the Disputed Domain Name "comprises the entirety of" the GIBSON DUNN Trademark, and

"Respondent's substitution of similarly appearing characters" (that is, using the letter "m" in place of the letters "nn") "creates a visual appearance that is confusingly similar."

- The Respondent has no rights or legitimate interests in the Disputed Domain Name because, inter alia, "Respondent has no affiliation with Gibson Dunn nor a license to utilize the Gibson Dunn mark"; a previous "panel has already concluded that gibsondum.com is not comprised of dictionary words and appears on its face to represent an instance of typosquatting a distinctive and well-established service mark" (internal punctuation and citation omitted); and the Respondent is not using the Disputed Domain Name in connection with a bona fide offering of goods or services because it is not using the Disputed Domain Name whatsoever.

- The Disputed Domain Name was registered and is being used in bad faith because, inter alia, "the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term to a well-known trademark[)] can by itself create a presumption of bad faith" (internal punctuation and citations omitted); the passive-holding doctrine does not prevent a finding of bad faith even in the absence of a website associated with the Disputed Domain Name; "[w]here there is no evidence of rights or legitimate interest, and no reasonable explanation for the respondent's choice of domain name, a finding of bad faith is supported"; the Disputed Domain Name's misspelling of the GIBSON DUNN Trademark "signals an intention on the part of the respondent to confuse users seeking or expecting the complainant" (internal punctuation and citation omitted); "[t]he fame of the Gibson Dunn mark and the existence of the firm's legitimate website, gibsondunn.com, which is easily located upon a simple Google search, further demonstrate Respondent could only have been operating in bad faith when it seized control of the disputed domain name"; "[t]he most plausible explanation is that Respondent fraudulently intercepted control over the disputed domain name to unduly benefit from the Complainant, its service mark, and associated goodwill"; and the Respondent used false contact information when registering the Disputed Domain Name, including an incomplete street address, a telephone number that is "invalid on its face", and a nonexistent ZIP code.

B. Respondent

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

6. Discussion and Findings

A. Preliminary Matter: Refiled Complaint

As a preliminary matter, the Panel is mindful that, as discussed above, this proceeding involves the same domain name that was the subject of a previous proceeding under the Policy. *Gibson, Dunn & Crutcher LLP v. Eburg City*, WIPO Case No. D2025-2987. Accordingly, the Panel considers whether this is a refiled case that it should accept. However, the issue is clear: "A refiled case is one in which a newly-filed UDRP case concerns identical domain name(s) and parties to a previously-decided UDRP case in which the prior panel denied the complaint on the merits." WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.18. Here, although this proceeding involves the same complainant and disputed domain name as in the previous proceeding, the respondent is nominally different (notwithstanding "Complainant's belief that Respondent is the same individual who originally registered gibsondum.com and who was the respondent in the previous WIPO case regarding this disputed domain name where Complainant prevailed") and, more decisively, the panel in the prior proceeding did not deny the complaint. As a result, the Panel does not consider this to be a refiled case that raises any concerns applicable to such situations.

B. Identical or Confusingly Similar

Based upon the trademark registration cited by the Complainant, it is apparent that the Complainant has rights in and to the GIBSON DUNN Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the GIBSON DUNN Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., "gibsondum") because "[t]he applicable Top-Level Domain ('TLD') in a domain name (e.g., '.com', '.club', '.nyc') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test". WIPO Overview 3.1, section 1.11.1.

As set forth in section 1.7 of WIPO Overview 3.1: "[I]n cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark." Here, contrary to the Complainant's argument, the Disputed Domain Name does not contain the entirety of the GIBSON DUNN Trademark. However, it does contain a dominant feature of the mark.

Further, as set forth in section 1.9 of WIPO Overview 3.1: "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…. Examples of such variations include… substitution of similar-appearing characters." Here, clearly, use of the letter "m" in lieu of the letters "nn" is an intentional misspelling of the GIBSON DUNN Trademark that uses similar-appearing characters.

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

C. Rights or Legitimate Interests

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, "Respondent has no affiliation with Gibson Dunn nor a license to utilize the Gibson Dunn mark"; a previous "panel has already concluded that gibsondum.com is not comprised of dictionary words and appears on its face to represent an instance of typosquatting a distinctive and well-established service mark" (internal punctuation and citation omitted); and the Respondent is not using the Disputed Domain Name in connection with a bona fide offering of goods or services because it is not using the Disputed Domain Name whatsoever.

WIPO Overview 3.1, section 2.1, states: "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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that the Complainant has established its prima facie case and without any evidence from the Respondent to the contrary, the Panel is satisfied that the Complainant has satisfied the second element of the Policy.

D. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location. Policy, paragraph 4(b).

Before evaluating the substantive issue of bad faith, the Panel wishes to address the circumstances that led to registration of the Disputed Domain Name by the Respondent, given the unusual fact that the Complainant had won a decision ordering transfer of the Disputed Domain Name to it only five months prior to filing the Complaint in this proceeding. The Complainant states that the Respondent "intercepted the [transfer] code and maliciously initiated an unauthorized transfer to a GoDaddy account controlled by the Respondent." As shown in communications provided as annexes to the Complaint, the registrar in the previous proceeding, Namecheap, confirmed on October 10, 2025, that it had "successfully pushed" the Disputed Domain Name to an account apparently at Namecheap that was provided by the Complainant. Namecheap then informed the Complainant: "Please note that it is important not to initiate a transfer request until you have updated the privacy email or disabled the Domain Privacy service. Otherwise, the EPP code will also be sent to the previous domain owner."[1] It appears as if the requested the code was sent to the previous registrant (who may also be the Respondent in the instant proceeding).

Despite the lack of evidence in the record on what occurred, one plausible conclusion is that the transfer instructions at issue were easy to overlook, unnecessarily difficult to apply, and clearly contributed to an unintended transfer of the Disputed Domain Name. Notably, the Policy merely requires a registrar to "implement the decision" (Policy, paragraph 4(k)) when a complainant obtains a transfer order; the Policy does not specify the technical process for transferring a disputed domain name. As a result, registrars do not uniformly implement decisions under the Policy, with some only agreeing to "push" a disputed domain name to an account for the complainant at the same registrar instead of providing an auth code for direct transfer of the domain name to the complainant's registrar of choice, which requires multiple steps that, as here, can be further complicated by the use of privacy services, and also forces a complainant to enter into an agreement with a registrar with which it may not want to conduct business. (Further, the Panel notes that implementation of decisions under the Policy is also sometimes delayed by registrars that are either inexcusably unfamiliar with the Policy's requirements or that passively wait to receive and respond to requests from winning complainants instead of actively providing transfer instructions.)

This entire proceeding could have been avoided had there been a uniform, clear, and simple documented process for registrar implementation of decisions under the Policy, and if that process had been made known and enforced by ICANN. As set forth in last year's Final Report of the WIPO-ICA UDRP Review Project Team, published by the Center and the Internet Commerce Association: "Concern was raised regarding compliance with the UDRP by some registrars as well as with the procedure, with post-transfer delays being noted." The report recommended that "ICANN review and reinforce its role in ensuring timely compliance by registrars with their duties under the UDRP, and also that registrars receive training and information on those obligations" and that "consideration be given to practical solutions to make uniform and to streamline or automate the transfer process." The circumstances that unnecessarily led to the filing of the Complaint in this proceeding (creating undue burdens on the Complainant, two registrars, and the Center) highlights the importance of these recommendations, which the Panel urges ICANN to adopt.

Notwithstanding what occurred following the previous decision regarding the Disputed Domain Name, it appears that the Respondent, having mistakenly received the auth code, then used it to initiate a transfer of the Disputed Domain Name from the Complainant's account at Namecheap to its own account at the Registrar. Indeed, a help page published by the Registrar[2] states that a registrant must "[e]nter the authorization code for your domain" to initiate a transfer. In other words, the Respondent was not a passive

[1] An "EPP" code, an acronym for "Extensible Provisioning Protocol," is also known an "authorization" or "auth" code that is used for transferring a domain name from one registrar to another.

[2] https://www.godaddy.com/help/transfer-my-domain-to-godaddy-1592 (visited July 1, 2026).

recipient of the domain name registration; it had to have taken active steps to acquire it. Having just lost a decision regarding the Disputed Domain Name, the Respondent surely knew that it was not entitled to register the Disputed Domain Name, even though it had the technical ability to do so, which means that its registration was obviously in bad faith.

Although the Complainant does not specify which, if any, of the factors set forth in paragraph 4(b) of the Policy is applicable here, the Panel has no difficulty finding bad faith based on the strength and distinctiveness of the GIBSON DUNN Trademark as well as the typographical nature of the Disputed Domain Name. See, e.g., WIPO Overview 3.1, sections 3.1.4 ("[p]anels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith"); and section 3.2.1 ("a typo of a widely-known mark" and "a clear absence of rights or legitimate interests coupled with no credible explanation for the respondent's choice of the domain name" are indicative of bad faith).

Further, the Panel agrees with the Complainant that the passive-holding doctrine does not prevent a finding of bad faith here. As set forth in section 3.3 of WIPO Overview 3.1: "Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity, or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement)." Indeed, all of these factors are applicable here.

In addition, as stated above, the Respondent has clearly use false information (including in its street address, phone number and ZIP code) in registering the Disputed Domain Name. This is additional evidence of bad faith. See, e.g., WIPO Overview 3.1, sections 3.2.1 ("the use of (false) contact details or a privacy shield to hide the registrant's identity" supports an inference of bad faith"); and section 3.3 ("the use of false or inaccurate contact details" is a factor in a finding of bad faith under the passive holding doctrine).

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 Disputed Domain Name <gibsondum.com> be transferred to the Complainant.

/Douglas M. Isenberg/
Douglas M. Isenberg
Presiding Panelist

/Phillip V. Marano/
Phillip V. Marano
Panelist

/Jeffrey M. Samuels/
Jeffrey M. Samuels
Panelist
Date: July 3, 2026