WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ARBITRATION
AND
MEDIATION CENTER

ADMINISTRATIVE PANEL DECISION

Omnicom Group Inc. v. efevrbrfb vbrdbrbr
Case No. D2026-2420

1. The Parties

The Complainant is Omnicom Group Inc., United States of America ("United States"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is efevrbrfb vbrdbrbr, Canada.

2. The Domain Names and Registrar

The disputed domain names <annalect.help>, <annalect.life>, <annalect.store>, and <annalect.top> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 3, 2026. On June 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 4, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy User #ef2402e9 / Privacy User #158271c0 / Privacy User #f9229d34 / Privacy User #cacb62c4, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 June 8, 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 June 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 6, 2026.

The Center appointed Zeynep Yasaman as the sole panelist in this matter on July 16, 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, founded in 1986 and headquartered in New York City, United States, is a global media, marketing, and corporate communications holding company. Its branded networks and specialty firms provide services across media, content, commerce, generative artificial intelligence, and branding communications.

In 2010, the Complainant established ANNALECT as its data-driven marketing and analytics specialty services business, positioned at the intersection of data, technology, and analytics. ANNALECT operates as the data and analytics core of Omnicom Media Group, providing data-driven marketing strategy powered by a connected system of technology, analytics, and consultants.

The ANNALECT trademark registrations relied upon in these proceedings are held by Omnicom Media Group Holdings Inc. and Omnicom International Holdings Inc., both wholly owned subsidiaries of the Complainant. The relevant registrations include the following:

- United States trademark ANNALECT No. 5073596, registered on November 1, 2016, in class 42;
- United States trademark ANNALECT No. 5241864, registered on July 11, 2017, in class 35;
- Chinese trademark ANNALECT No. 8873382, registered on December 28, 2011, in class 35;
- European Union trademark ANNALECT No. 012182234, registered on February 24, 2014, in class 35; and
- United Kingdom trademark ANNALECT No. UK00912182234, registered on February 24, 2014, in class 35.

The Complainant has operated its main website at "www.annalect.com" since 2010 and has registered a number of domain names incorporating the ANNALECT trademark.

The disputed domain names were all registered on March 10, 2026. The Panel notes that the disputed domain names <annalect.help> and <annalect.life> redirect to parking pages featuring pay-per-click links to third-party websites, some of which relate to services competing with those of the Complainant, such as "Marketing Analytics Support Services", "Analytic Tools for Marketing", "Marketing Data Analytics", and "Data Driven Marketing Analytics". On the basis of the evidence submitted by the Complainant, the disputed domain names <annalect.store> and <annalect.top> previously resolved to login pages reproduced the Complainant's ANNALECT logo and requested visitors to enter their usernames or telephone numbers and passwords. At the time of the Panel's review, access to both domain names triggered deceptive website warnings indicating that the websites had been flagged as deceptive by Google Safe Browsing. Upon proceeding beyond the warnings, neither disputed domain name resolved to an active website.

The Complainant's counsel, acting on behalf of Omnicom Media Group Holdings Inc., sent three cease-and-desist communications, dated April 2, April 13, and April 23, 2026, to the privacy-service contact addresses appearing in the publicly available registration data. No response was received.

According to the registrant information disclosed by the Registrar, the disputed domain names are all held by a single underlying registrant, efevrbrfb vbrdbrbr, listed as being located in Canada, who initially registered the disputed domain names behind the privacy service.

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 names.

Notably, the Complainant contends that it has rights in a portfolio of registered ANNALECT trademarks and that the disputed domain names are identical or confusingly similar to those trademarks, as the second-level portion of each disputed domain name consists solely of the ANNALECT trademark, the applicable Top-Level Domain being disregarded under the first element.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Complainant asserts that the Respondent is not sponsored by, affiliated with, or licensed or authorized by the Complainant to use the ANNALECT trademark in any manner, including in domain names, and that the Respondent is not commonly known by the disputed domain names. The Complainant submits that the Respondent's use of the disputed domain names <annalect.help> and <annalect.life> to redirect users to pages featuring pay-per-click links, including to competitors of the Complainant, does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Complainant further submits that the disputed domain names <annalect.store> and <annalect.top> were used to host login pages reproducing the Complainant's ANNALECT logo and soliciting visitors' credentials, at minimum, illegitimately increasing traffic to Respondent's websites for personal gain, and at worst,mounting to phishing, which can never confer rights or legitimate interests. The Complainant adds that, given the composition of the disputed domain names and the reputation of its trademark, the disputed domain names carry a high risk of implied affiliation.

As to bad faith, the Complainant contends that its ANNALECT trademark is known internationally and predates the registration of the disputed domain names by many years, so that the Respondent must have been aware of the Complainant and its trademark when registering the disputed domain names, which wholly incorporate the trademark. The Complainant argues that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the pay-per-click websites by creating a likelihood of confusion with the Complainant's trademark, and that the Respondent's reproduction of the Complainant's ANNALECT logo on login pages designed to solicit personal information constitutes fraudulent phishing and, therefore, bad faith. The Complainant further relies on the Respondent's registration of four domain names incorporating its trademark as a pattern of conduct, on the Respondent's use of a privacy service to conceal its identity, and on the Respondent's failure to respond to the Complainant's cease-and-desist letters, as additional indicia of bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the Complainant to show that the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

Where the Complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case (WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.2.1). In the present case, the record establishes that trademark registrations for ANNALECT are held by companies within the Complainant's corporate group, including Omnicom Media Group Holdings Inc., a wholly owned subsidiary of the Complainant. A parent company is generally considered to have rights, for purposes of standing under the first element of the Policy, in a trademark held by a company or brand under its corporate umbrella (WIPO Overview 3.1, section 1.4.1). The Panel therefore finds that the Complainant has established rights in the ANNALECT trademark for purposes of the Policy.

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 3.1, section 1.7).

In the present case, the second-level portion of each of the disputed domain names <annalect.help>, <annalect.life>, <annalect.store>, and <annalect.top> consists exclusively of the Complainant's ANNALECT trademark, reproduced in its entirety. The applicable Top-Level Domains, whether ".help", ".life", ".store", or ".top", 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). The Complainant's trademark is clearly recognizable within the disputed domain names. Accordingly, the Panel finds that the disputed domain names are identical to the Complainant's trademark for the purposes of the Policy.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has established that the Respondent is neither affiliated with the Complainant nor authorized or licensed by the Complainant to use the ANNALECT trademark or to register the disputed domain names. There is no evidence that the Respondent is commonly known by the disputed domain names; on the contrary, the registrant information does not resemble the disputed domain names in any manner.

With respect to the disputed domain names <annalect.help> and <annalect.life>, the Panel notes that they redirect to parking pages displaying pay-per-click links, including to services that compete with those of the Complainant. A respondent's use of a complainant's mark to redirect users (here to sites displaying pay-per-click links to competing services) would not support a claim to rights or legitimate interests (WIPO Overview 3.1, section 2.5.3). Such use cannot be regarded as a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor as a legitimate noncommercial or fair use under paragraph 4(c)(iii).

With respect to the disputed domain names <annalect.store> and <annalect.top>, the evidence shows that they were used to resolve to login pages reproducing the Complainant's ANNALECT logo and soliciting visitors' usernames or telephone numbers and passwords. The Panel finds that such use was intended to mislead Internet users and solicit their personal details under, mistaken belief that the websites were operated by the Complainant. The Panel further notes that, at the time of its review, access to <annalect.store> and <annalect.top> triggered a deceptive website warning. Panels have categorically held that the use of a domain name for illegal activity, such as phishing or other types of fraud, can never confer rights or legitimate interests on a respondent (WIPO Overview 3.1, section 2.13.1).

The Panel further observes that the composition of the disputed domain names, which consist exclusively of the Complainant's distinctive and well-established ANNALECT trademark effectively suggests sponsorship or endorsement by the Complainant, which cannot constitute fair use (WIPO Overview 3.1, section 2.5.1).

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.

In the present case, the ANNALECT trademark had been registered and used for many years before the disputed domain names were registered on March 10, 2026. The disputed domain names reproduce the ANNALECT trademark in its entirety. More significantly, the disputed domain names <annalect.store> and <annalect.top> were used in connection with login pages prominently displaying the ANNALECT logo. The composition and use of the disputed domain names lead the Panel to conclude that the Respondent was aware of the ANNALECT trademark and deliberately targeted the Complainant and its corporate group when registering the disputed domain names.

The disputed domain names <annalect.help> and <annalect.life> redirect to parking pages featuring pay-per-click links relating, inter alia, to marketing analytics services. By using these disputed domain names in this manner, the Respondent intentionally attempted to attract Internet users by creating a likelihood of confusion with the ANNALECT trademark as to the source, sponsorship, affiliation, or endorsement of the associated websites, within the meaning of paragraph 4(b)(iv) of the Policy.

The disputed domain names <annalect.store> and <annalect.top> were used in connection with login pages that reproduced the ANNALECT logo and requested visitors to provide a username or telephone number and password. Such use was plainly deceptive and indicative of an attempt to impersonate the Complainant and obtain visitors' credentials. The use of a domain name for – in this case passing off and likely phishing – constitutes manifest evidence of bad faith under the Policy (WIPO Overview 3.1, sections 3.4).

Any subsequent non-use of the disputed domain names <annalect.store> and <annalect.top> does not prevent of finding of bad faith. Having regard to the distinctiveness of the ANNALECT trademark, the identical composition of the disputed domain names, the Respondent's failure to submit a Response, the apparently fictitious registrant information, and the prior deceptive use of the disputed domain names, their passive holding would not prevent a finding of bad faith (WIPO Overview 3.1, section 3.3).

The Respondent's simultaneous registration of four domain names reproducing the ANNALECT trademark in its entirety further reinforces the Panel's conclusion that the Respondent deliberately targeted the Complainant and its trademark. Moreover, while the use of a privacy service is not in itself evidence of bad faith, the apparently fictitious contact information disclosed beneath the privacy service provides an additional indication of bad faith in the circumstances of this case (WIPO Overview 3.1, section 3.6).

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 names <annalect.help>, <annalect.life>, <annalect.store>, and <annalect.top> be transferred to the Complainant.

/Zeynep Yasaman/
Zeynep Yasaman
Sole Panelist
Date: July 23, 2026