

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation (IBM) v. Nanci Nette
Case No. D2026-2667

1. The Parties

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

The Respondent is Nanci Nette, United States.

2. The Domain Name and Registrar

The disputed domain name <ibmtechxchange.com> is registered with Snapsource LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 18, 2026. On June 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 24, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 25, 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 June 26, 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 July 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 3, 2026.

The Center appointed Elizabeth Ann Morgan as the sole panelist in this matter on August 5, 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 was incorporated in 1911 and officially became International Business Machines in 1924. The Complainant has been offering products and services in the information technology space ever since. Initially, these products included office and research equipment, including punch machines, calculating machines, clocks and scales. IBM introduced IBM 70, its first large vacuum tube computer, in 1952, and has since continuously offered computer products and services, including computers, computer hardware, software, and programs.

The Complainant is and has been a leading innovator in the design and manufacture of many technology products, including computers and computer hardware, software and accessories. The Complainant is one of the world's leading technology and consulting organizations with presence in over 175 countries through its wholly owned subsidiaries with over 288,300 employees worldwide.

The Complainant owns and has owned trademark registrations for IBM in 131 jurisdictions all around the world for several decades, and for a broad range of goods and services, including, but not limited to: United States Registration No. 4,181,289, registered on July 31, 2012, in Classes 9, 16, 18, 20, 21, 22, 25, 28, 35, and 41; and United States Registration No. 3,002,164, registered on September 27, 2005, in Class 9; and United States Registration No. 1,696,454, registered on June 23, 1992, in Class 36.

The disputed domain name was registered on December 12, 2025, and has oscillated between content with consistent redirects to different websites.

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 identical or confusingly similar to a trademark or service mark in which the Complainant has rights; the Respondent has no rights or legitimate interests in respect of the disputed domain name; and 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

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 of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The 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 the mark is 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.

Although the addition of other terms here, “techxchange”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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

The Complainant has never licensed, contracted, or otherwise permitted anyone to apply to register the disputed domain name. Furthermore, there is no evidence that the disputed domain name is similar to the name of the Respondent. 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.

The disputed domain name consists of the letters “ibm”, followed by the term “techxchange”, and the generic Top-Level Domain “.com”. The letters “ibm” contained in the disputed domain name are exactly the same as the IBM trademark. Combined with the term “techxchange,” the composition of the disputed domain name is identical to “IBM TechXchange,” which is the name of an annual conference operated by the Complainant. As such, the use of “IBM TechXchange” within the disputed domain name is suggestive of Complainant’s conference, which increases confusion as to the (lack of) relationship between the Respondent and the Complainant, rather than reducing any confusion.

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 Panel notes that the Respondent has used the disputed domain name to attract Internet traffic for likely commercial gain by creating a likelihood of confusion with the Complainant's mark. The Respondent has been intentionally attempting to create a likelihood of confusion by using the disputed domain name containing the IBM trademark to increase Internet user traffic for its webpage, which has oscillated between content and constantly redirects to different websites. The disputed domain name has redirected to at least 20 different domains, ranging from log in pages, sign up pages, advertisements, and third-party sites, including websites flagged as malicious by third party security tools. Noting also the Complainant's well-known status and hosting of an annual conference bearing the same name as the disputed domain name, the Panel finds that the Respondent has registered and used the disputed domain name in bad faith.

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 <ibmtechxchange.com> be transferred to the Complainant.

/Elizabeth Ann Morgan/

Elizabeth Ann Morgan

Sole Panelist

Date: August 19, 2026