ADMINISTRATIVE PANEL DECISION
Brookfield Office Properties Inc. v. yuke goody
Case No. D2026-2817

1. The Parties

The Complainant is Brookfield Office Properties Inc., Canada, represented by SafeNames Ltd., United Kingdom.

The Respondent is yuke goody, United States of America (“US”).

2. The Domain Name and Registrar

The disputed domain name <brooksfieldrp.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 29, 2026. On June 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 30, 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, Privacy service provided by Withheld for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 1, 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 July 2, 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 July 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 24, 2026.

The Center appointed Masato Dogauchi as the sole panelist in this matter on July 28, 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 1923, is a real estate organization that specializes in real estate investment strategies and focuses on the real estate investment activities of its parent company. The Complainant operates internationally a diverse portfolio of properties, such as office buildings, retail spaces, residential buildings and logistics facilities. The Complainant manages over 1,000 properties worldwide, overseeing over 380 million square feet of buildings globally. The Complainant also manages and operates over USD 10 billion in real estate in Australia, and oversees over 155 retail destinations and office properties across the US.

The Complainant has registered BROOKFIELD trademarks, such as:

- Canadian Trademark Registration No. TMA472422 for BROOKFIELD, registered on March 12, 1997;

- US Trademark Registration No. 2472635for BROOKFIELD, registered on July 31, 2001; and

- United Kingdom Trademark Registration No. UK00002559270 for BROOKFIELD, registered on September 12, 2010.

The Complainant promotes its activities online and has operated its main websites at the domain names <brookfieldproperties.com>, <brookfield.com> and <brookfieldresidential.com> respectively since 1998. The Complainant is also the owner of the domain name <brookfieldrp.com>, which redirects to its residential website.

The disputed domain name was registered on March 17, 2026. The Respondent launched a phishing attack 13 days after the registration of the disputed domain name. The phishing activity was carried out by way of a scam email using the email address "[…]@brooksfieldrp.com", in the name of an impersonated employee of the Complainant which featured the Complainant's address and official domain name for its residential services in the signature. The phishing email claimed that payments had been 'reversed' to delay the detection of fraud by the Complainant's client. With regard to this activity, the Complainant's representatives submitted an abuse report to the Registrar, which resulted in the suspension of the disputed domain name, and it was consequently placed on "Client Hold" status.

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.

B. Respondent

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

6. Discussion and Findings

In accordance with the Rules, paragraph 15(a), a panel shall decide a case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Since the Respondent has not made any substantive arguments in this case, the following decision is rendered on the basis of the Complainant's contentions and other evidence submitted by the Complainant.

In accordance with the Policy, paragraph 4(a), in order to qualify for a remedy, the Complainant must prove each of the following:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

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 for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The test of identical or confusingly similarity involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. In the present case, the disputed domain name does not include the entirety of the Complainant's BROOKFIELD mark as it is, but it consists of "brooksfield", "rp" and ".com". The first term "brooksfield" is different from the Complainant's mark by one added letter "s" between "brook" and "field". Accordingly, the Panel determines that the present case is a kind of typosquatting. Where the Complainant's mark is recognizable within the disputed domain name, the addition of other terms would not prevent a finding of confusing similarity under the first element. WIPO Overview 3.1, sections 1.8and 1.9. The Top-Level Domain (".com") 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.

Accordingly, the Panel accordingly 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 with 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 showed that the Respondent used the disputed domain name to send a fraudulent email to the Complainant's client, pretending to be the Complainant's employee by using her name and the Complainant's contact information, and asking for payment. Panels have held that the use of a domain name for illegitimate activity (here, claimed phishing, passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Accordingly, 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 Complainant has been doing business in property development and then real estate since 1923 in many jurisdictions including US.

The Panel finds it unlikely that the disputed domain name was registered without knowledge of the Complainant and its trademark, given the longstanding reputation of both the Complainant and the trademark, and also considering the subsequent use of the disputed domain name. The Respondent's aim in registering and using the disputed domain name was to carry out illegitimate activities.

With regard to the requirement that the disputed domain name is being used in bad faith, the Panel notes that a phishing email was sent from the email account associated with the disputed domain name. Panels have held that the use of a domain name for such an illegitimate activity, namely impersonating the Complainant and setting up a fraudulent email scheme, constitutes bad faith. WIPO Overview 3.1, section 3.4.

Accordingly, 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 <brooksfieldrp.com> be transferred to the Complainant.

/Masato Dogauchi/
Masato Dogauchi
Sole Panelist
Date: July 30, 2026