

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. Name Redacted
Case No. D2026-3050

1. The Parties

Complainant is International Business Machines Corporation, United States of America ("United States"), representing itself.

Respondent is Name Redacted¹, United States.

2. The Domain Name and Registrar

The disputed domain name <caibm.com> is registered with Squarespace Domains II LLC ("Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center ("Center") on July 10, 2026. On July 13, 2026, the Center transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name. On July 13, 2026, the Registrar transmitted by email to the Center its verification response adding the name of registrant's organization. The Center sent an email communication to Complainant on July 23, 2026, providing the additional information, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on July 23, 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 ("Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy ("Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy ("Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on July 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 16, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on August 17, 2026.

¹ For the reasons discussed elsewhere in this decision, pursuant to the Policy, paragraph 4(j), the Panel finds this is an exceptional case and has redacted the name of the registrant from this decision. Pursuant to the Rules, paragraph 16(b), the Panel has identified the registrant in Annex 1 to this decision, which instructs Registrar to transfer the disputed domain name in accordance with this decision, and has determined that Annex 1 shall not be published.

The Center appointed Debra J. Stanek as the sole panelist in this matter on August 24, 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

Complainant is a technology and consulting organization with locations worldwide, including in Canada. It owns a number of trademark registrations, in the United States and throughout the world for the IBM mark (as word mark and in a stylized from), including:

- United States Reg. No. 640,606, registered on January 29, 1957, for magnetic recording tape.
- United States Reg. No. 1,243,930, registered on June 28, 1983, for computer time sharing services.
- United States Reg. No. 3,002,164, registered on September 27, 2005, for an array of computer parts and accessories.

Complainant also owns and operates a website at the <ibm.com> domain name.

The disputed domain name was created on May 11, 2026. At the time the Complaint was filed and as of the time of this decision, the disputed domain name does not lead to an active website; instead, it bears an “under construction” message². The Complaint indicates that Respondent has used the disputed domain name in an email address used to send messages purporting to be from one of its employees.

Prior to filing the Complaint, Complainant sent cease-and-desist letters to Respondent, directed at the email address in the Whois record and through the Registrar, but did not receive a response.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. In particular:

- Complainant is a long-established and well-known global brand including in Canada, where it also has an office.
- The disputed domain name consists of the letters “ca,” a commonly-understood abbreviation for Canada, and Complainant’s IBM mark. In addition, Complainant’s Canadian email addresses end in “caibm.com.”
- Complainant has not authorized anyone to use the disputed domain name.
- Respondent used the disputed domain name to impersonate an employee of Complainant who is based in Canada. Respondent sent messages from a [...]@caibm.com email address purporting to be from that employee and requesting electronic payment.

² The Complaint asserts both that the disputed domain name “currently redirects to Complainant’s official website” and that it “has displayed an under construction page for the entirety of its registration period.” The statement regarding redirection seems to be incorrect. Complainant’s Annex 9 shows the web page with an “under construction” message.

- Respondent provided false contact information to the Registrar. The email address in the Whois record contains a name that is different from the name of the registrant. The telephone number listed in the Whois is associated with a third name and the telephone number has a San Francisco area code while the address provided is in the state of Wyoming.
- Complainant's investigation shows that the disputed domain name is associated with an IP address that is linked to malicious activity as well as being connected to an email server.
- Respondent did not respond to Complainant's cease and desist letters.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To prevail under the Policy a complainant must prove, as to the disputed domain name at issue, that: (a) it is identical or confusingly similar to a mark in which the complainant has rights, (b) the respondent has no rights or legitimate interests in respect to it, and (c) it has been registered and is being used in bad faith. Policy, paragraph 4(a). A respondent's failure to respond does not automatically result in a finding for the complainant; the complainant continues to have the burden of establishing each element. Rules, paragraphs 5(f) and 14(a); see also WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3. The Panel may, however, draw appropriate inferences from the default. See Rules, paragraph 14(b).

The Panel determines that the registrant disclosed by the Registrar is the appropriate Respondent even though "Name Redacted" appears to be a misspelling of the name of one of Complainant's Canada-based employees and a truncated version of Complainant's name.

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 Complainant's trademark and the disputed domain name. [WIPO Overview 3.1](#) section 1.7.

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 disputed domain name is not identical to Complainant's mark; however, the entire IBM mark is contained in the disputed domain name after "ca". Despite the addition of "ca" the Panel finds the mark is recognizable within the disputed domain name. Although the addition may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in proceedings under the Policy is on the complainant, panels have recognized that proving 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 remains on complainant). If the respondent fails to come forward with relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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. Further, Complainant has provided credible evidence that Respondent used the disputed domain name to pass itself off as an employee of Complainant, apparently in a scheme to redirect payments intended for Complainant. Consistent with determinations by other panels, the Panel finds that this use of the disputed domain name cannot confer rights or legitimate interests on Respondent. [WIPO Overview 3.1](#), section 2.13.1.

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

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a list of circumstances that may indicate that a domain name was registered and used in bad faith for purposes of paragraph 4(a)(iii) of the Policy. The list is not exhaustive; other circumstances may be relevant. [WIPO Overview 3.1](#), section 3.2.1.

Complainant's evidence shows: Complainant's rights in its IBM mark long predate registration of the disputed domain name. Respondent clearly knew of Complainant and Complainant's mark. Respondent used an email address incorporating the disputed domain name for messages purporting to be from one of Complainant's employees. Use in the email address makes clear Respondent used the disputed domain name intending that the third party believe Respondent's email communications were from Complainant. Respondent did not respond to Complainant's cease and desist letters or in these proceedings, and Respondent provided false contact information to the Registrar. Under these circumstances, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <caibm.com> be transferred to Complainant.

/Debra J. Stanek/

Debra J. Stanek

Sole Panelist

Date: September 7, 2026