ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
International Business Machines Corporation v. John Cesarus
Case No. D2026-3051

1. The Parties

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

Respondent is John Cesarus, United States.

2. The Domain Name and Registrar

The disputed domain name <ibmeventconnect.com> (the "Disputed Domain Name") is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 10, 2026. On July 13, 2026, the Center transmitted by email to the 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 disclosing registrant and contact information for the Disputed Domain Name which differed from the named Respondent (John Doe) and contact information in the Complaint. The Center sent an email communication to Complainant on July 14, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on July 14, 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 Respondent of the Complaint, and the proceedings commenced on July 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2026. Respondent did not submit a response. Accordingly, the Center notified Respondent's default on August 14, 2026.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on August 26, 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 states that it "was incorporated in 1911 and officially became International Business Machines in 1924"; that it "has been offering products and services in the information technology space ever since"; that "[s]ince the 1880s, 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"; that it "was ranked the 16th most valuable global brand in 2026" by BrandZ and "the 22nd best global brand in 2025" in Interbrand; and that it "spends over $1B annually marketing its goods and services globally, using the IBM trademark".

Complainant states, and provides documentation in support thereof, that it "owns and has owned trademark registrations for IBM in 131 countries all around the world for several decades, and for a broad range of goods and services, including, although not limited to, information technology related goods and services", including the following:

- U.S. Reg. No. 640,606 for IBM (registered January 29, 1957);
- U.S. Reg. No. 1,058,803 for IBM (registered February 15, 1977); and
- U.S. Reg. No. 4,181,289 for IBM (registered July 31, 2012).

These registrations are referred to herein as the "IBM Trademark."

The Disputed Domain Name was created on February 9, 2026. As stated in the Complaint, "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 to its webpage… which lists an article of clothing for sale" and "the Respondent is using the Disputed Domain Name to redirect to websites that are connected to malicious activity".

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. Notably, Complainant contends in relevant that:

- The Disputed Domain Name is identical or confusingly similar to the IBM Trademark because the Disputed Domain Name contains the entirety of the IBM Trademark and the Disputed Domain Name "is suggestive of Complainant's events, products and services – namely, Complainant's IBM App Connect and IBM Event Automation products."

- Respondent has no rights or legitimate interests in the Disputed Domain Name because "Complainant has never licensed, contracted, or otherwise permitted anyone to apply to register the Disputed Domain Name." Furthermore, there is no evidence that Respondent is using the Disputed Domain Name incorporating the IBM trademark for a bona fide offering of goods or services, nor is there any evidence of fair use; "[t]here is no evidence of any Respondent's use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with any bona fide offering of goods or services"; "Respondent has not been commonly known by the Disputed Domain Name"; and "Respondent is not making a legitimate non-commercial or fair use of the Disputed Domain Name".

- The Disputed Domain Name was registered and is being used in bad faith because "a presumption of bad faith may be created solely through the '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 trade mark" (internal punctuation and citation omitted); the Disputed Domain Name "incorporates the world-famous IBM" trademark; "Respondent has been intentionally misusing the Disputed Domain Name by pointing visitors to a domain that is associated with malicious activity" as shown by reports from DomainTools Investigative Report and VirusTotal; and Respondent did not reply to Complainant's cease-and-desist letter sent on February 16, 2026.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registrations cited by Complainant, it is apparent that Complainant has rights in and to the IBM Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the IBM Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., "ibmeventconnect") 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 of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.11.1.

As set forth in section 1.7 of WIPO Overview 3.1, "in cases where a domain name incorporates the entirety of a trademark,… the domain name will normally be considered confusingly similar to that mark". Further, as set forth in section 1.8 of WIPO Overview 3.1, "[w]here the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element". Here, the Disputed Domain Name contains the entirety of the IBM Trademark, and the addition of the words "event" and "connect" do not prevent a finding of confusing similarity.

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

B. Rights or Legitimate Interests

Complainant has argued that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, "Complainant has never licensed, contracted, or otherwise permitted anyone to apply to register the Disputed Domain Name." Furthermore, there is no evidence that Respondent is using the Disputed Domain Name incorporating the IBM trademark for a bona fide offering of goods or services, nor is there any evidence of fair use; "[t]here is no evidence of any Respondent's use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with any bona fide offering of goods or services"; "Respondent has not been commonly known by the Disputed Domain Name"; and "Respondent is not making a legitimate non-commercial or fair use of the Disputed Domain Name."

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

C. 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).

A report from VirusTotal provided by Complainant shows that 12 security vendors have flagged the website associated with the Disputed Domain Name as malicious, including nine that have categorized it as associated with phishing activity. This clearly constitutes bad faith under the Policy. See, e.g., WIPO Overview 3.1, section 3.1.4 ("use of a domain name for per se illegitimate activity such as… phishing can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith"); WIPO Overview 3.1, section 3.4 ("use of a domain name for purposes other than to host a website may constitute bad faith", such as "sending email, phishing, identity theft, or malware distribution"); *Equifax Inc. v. DNS Admin, Buntai LTD*, WIPO Case No. D2023-2714 (finding bad faith where "Complainant has provided evidence, that one security vendor has reported that the disputed domain name is being used in connection with malicious activities, according to a report from VirusTotal, a service that analyzes files and URLs for viruses, worms, trojans and other kinds of malicious content"); and *LinkedIn Corporation v. Karam Moore, Karam Jameel Moore*, WIPO Case No. D2025-2180 (finding bad faith where "at least two security vendors have reported that the disputed domain name is being used in connection with malicious or suspicious activities, according to a report from VirusTotal, a service that analyzes files and URLs for viruses, worms, trojans and other kinds of malicious content"). Furthermore, Respondent's use of the Disputed Domain Name to redirect users to a third party website constitutes bad faith under paragraph 4(b)(iv) of the Policy.

The Panel finds that 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 <ibmeventconnect.com> be transferred to Complainant**.**

/Douglas M. Isenberg/
Douglas M. Isenberg
Sole Panelist
Date: August 29, 2026