

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. Domain Privacy,
Domain Name Privacy Inc
Case No. D2026-3052

1. The Parties

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

The Respondent is Domain Privacy, Domain Name Privacy Inc, Cyprus.

2. The Domain Name and Registrar

The disputed domain name <ibmai.vip> is registered with Communigal Communications Ltd. (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 14, 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 the Complainant on July 16, 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 July 16, 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 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 10, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 11, 2026.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on August 18, 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. 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 trademark registrations for IBM in 131 countries all around the world for several decades, and for a broad range of goods and services, particularly information technology related goods and services, including the following trademark registrations in the United States:

- United States Trademark Registration No. 4,181,289 IBM, registered on July 31, 2012 in International Classes 9, 16, 18, 20, 21, 22, 24, 25, 28, 35, and 41;
- United States Trademark Registration No. 3,002,164 IBM, registered on September 27, 2005 in International Class 9 and
- United States Trademark Registration No. 640,606 IBM, registered on January 29, 1957 in International Class 9.

The disputed domain name was registered on May 27, 2026. The disputed domain name was resolving to a website that was blocked by IBM Enterprise & Technology Security's DNS filtering policy on June 2026. The disputed domain name resolved then to a webpage with pay-per-click links containing references to technology-related products and services, e.g., "online training", "ai-powered business automation tools", "business automation with ai tools", and "ai powered tools for business".

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.

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 or their business entity. 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 Complainant contends that the disputed domain name is meant to reference Complainant's artificial intelligence products and services.

The Complainant has requested the Panel to issue a decision ordering that the disputed domain name be transferred to the Complainant.

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 Selected 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 Panel finds the mark is recognizable 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](#), sections 1.7 and 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 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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's well-known trademark IBM when it registered the disputed domain name on May 27, 2026. Given the longstanding, distinctive, and well-known nature of the IBM trademark, the Panel finds it is unlikely that the Respondent registered the disputed domain name without prior knowledge of the Complainant and its rights in the IBM mark.

In accordance with section 3.1.4 of the [WIPO Overview 3.1](#), the Panel considers that the inclusion of the Complainant's widely known IBM trademark in the disputed domain name, by the Respondent who has no relationship with the Complainant, creates a presumption of bad faith registration. The inclusion of the term "ai" in the disputed domain name may lead Internet users to think that the disputed domain name refers to the Complainant's artificial intelligence goods and services.

The Respondent, when registering the disputed domain name, targeted the Complainant's business and its trademark IBM, with the intention to confuse Internet users and capitalize on the fame of the Complainant's trademark for its own benefit.

The fact that there is an absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name is also a significant factor that contributes to the finding that the disputed domain name was registered and is being used in bad faith (as stated in section 3.2.1 of the [WIPO Overview 3.1](#)).

The Panel finds that the Respondent has registered and is using the disputed domain name in bad faith and that 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 <ibmai.vip> be transferred to the Complainant.

/Miguel B. O'Farrell/

Miguel B. O'Farrell

Sole Panelist

Date: August 28, 2026