

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. Dan Mike
Case No. D2026-3078

1. The Parties

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

Respondent is Dan Mike, United States.

2. The Domain Name and Registrar

The disputed domain name <ibmcorp.org> (the Disputed Domain Name) is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 13, 2026. On July 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 15, 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 16, 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 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 13, 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 25, 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 May 10, 2026, and, as stated in the Complaint, “redirects to Complainant’s official website” and is connected “to a mail server responsible for sending and accepting email messages on behalf of the Disputed Domain Name”.

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 part 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; “ibmcorp” is “an abbreviation for Complainant’s entity name – International Business Machines Corporation”; “the addition of the term ‘corp’ could reasonably suggest that the Disputed Domain Name is associated with Complainant”; and “the Disputed Domain Name redirects to Complainant’s official webpage”.
- 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) and the Disputed Domain Name “incorporates the world-famous IBM trademark the addition of the abbreviation for corporation ‘corp’”; redirecting the Disputed Domain Name to Complainant’s website “creates a real or implied ongoing threat to Complainant”; connecting the Disputed Domain Name to mail servers “suggests that the Respondent may have intended to use the Disputed Domain Name for phishing or other fraudulent purposes” (internal punctuation and citation omitted); and Respondent did not reply to Complainant’s cease-and-desist letter sent on May 20, 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., “ibmcorp”) 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 word “corp” (an abbreviation for “corporation”) does 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 the 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).

As set forth in section 3.1.4 of [WIPO Overview 3.1](#), panels have found bad faith pursuant to paragraph 4(b)(iv) of the Policy where, as here, a respondent is “redirecting the domain name to... the complainant’s (or a competitor’s) website”. See, e.g., *PayPal Inc. v. Jon Shanks*, WIPO Case No. [D2014-0888](#) (“use of the Disputed Domain Name to redirect to Complainant’s own website only serves to increase customer confusion that the Disputed Domain Name is somehow licensed or controlled by Complainant”); and *AXA S.A., AXA Investment Managers S.A. v. Domains by Proxy, Inc. / Adam Long*, WIPO Case No. [D2009-0452](#) (where “Complainants have proven that the disputed domain name resolves to the home page of Complainant[s] website”, Respondent is “exploiting the renown of the [complainant’s] trademark” and “appears to be seeking to profit from an unauthorized association with said mark, attracting hits and possibly obtaining revenue from the diverted traffic if not acquiring sensitive personal and financial details of the Complainants’ customers”).

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 <ibmcorp.org> be transferred to Complainant.

/Douglas M. Isenberg/

Douglas M. Isenberg

Sole Panelist

Date: August 29, 2026