

ADMINISTRATIVE PANEL DECISION

Brookfield Office Properties Inc. v. Brookfield Properties
Case No. D2026-3201

1. The Parties

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

The Respondent is Brookfield Properties, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <brookfield-properties.org> 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 21, 2026. On July 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 23, 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 ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 24, 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 27, 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 August 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 25, 2026.

The Center appointed Mireille Buydens as the sole panelist in this matter on September 2, 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 global real estate firm and a wholly-owned subsidiary of Brookfield Asset Management, a multinational company focusing on real estate, renewable power, infrastructure, and private equity, active in more than 30 countries. The Complainant operates a diverse portfolio of properties internationally across nine countries and regions, including the United Kingdom, Europe, the United States of America ("United States"), Canada, India, China and Australia. The Complainant has received a number of accolades worldwide for its property developments.

The Complainant owns various trademark registrations for its BROOKFIELD and BROOKFIELD PROPERTIES marks (hereafter "the BROOKFIELD Trademark", "the BROOKFIELD PROPERTIES Trademark" or "the Trademark(s)"), including:

- Canada Trademark Registration No. TMA767439, for BROOKFIELD PROPERTIES (word mark), registered on May 19, 2010;
- United Kingdom Trademark Registration No. UK00002558995, for BROOKFIELD PROPERTIES (word mark), registered on January 7, 2011;
- United States Trademark Registration No. 4277629, for BROOKFIELD PROPERTIES (word mark), registered on January 22, 2013;
- Australia Trademark Registration No. 1728650, for BROOKFIELD PROPERTIES (word mark), registered on October 16, 2015; and
- European Union Trademark Registration No. 014684451, for BROOKFIELD PROPERTIES (word mark), registered on February 12, 2016.

The Complainant promotes its activities online, including on social networks, and claims that it operates its main websites at the domain names <brookfieldproperties.com>, <brookfield.com>, and <brookfieldresidential.com>.

The disputed domain name was registered on April 22, 2026. According to the Complaint and evidence on file, the Respondent used the disputed domain name to host a website that used the BROOKFIELD PROPERTIES Trademark, and claimed to offer real estate services. The website asked Internet users to provide their sensitive information, including email addresses and phone numbers, and contained no disclaimer clarifying the lack of affiliation with the Complainant. The Complainant submitted an abuse report to the Registrar, which resulted in the suspension of the disputed domain name.

At the date of this Decision, the disputed domain name resolves to an error page.

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.

First, the Complainant contends that it owns prior trademark rights in the BROOKFIELD and BROOKFIELD PROPERTIES Trademarks and that the disputed domain name is confusingly similar to the BROOKFIELD PROPERTIES Trademark as it encompasses the entirety of this Trademark, with the mere addition of a hyphen to separate the two terms, which is insufficient to render the Complainant's the BROOKFIELD PROPERTIES Trademark unrecognizable in the disputed domain name. The generic Top-Level Domain ("gTLD") ".org" should be disregarded as it forms a standard registration requirement.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. To the best of the Complainant's knowledge, the Respondent does not have any trademark rights to the term "BROOKFIELD" or "BROOKFIELD PROPERTIES", and is not a licensee of the Complainant. Further, to the best of the Complainant's knowledge, the Respondent is not genuinely commonly known by the terms "Brookfield" or "Brookfield properties". The Complainant submits that the Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services. The Respondent used the disputed domain name to host a website that imitated the Complainant, using the BROOKFIELD PROPERTIES Trademark and logo, and claiming to offer services "dedicated to delivering innovative real estate solutions [...]", while asking Internet users to provide their sensitive information. The fact that the disputed domain name no longer resolves to an active website is not sufficient evidence of legitimate noncommercial or fair use.

The Complainant finally contends that the Respondent registered and uses the disputed domain name in bad faith. Concerning the registration in bad faith, the Complainant submits that the Respondent could not credibly argue that it did not have knowledge of the Complainant's BROOKFIELD PROPERTIES Trademark when it registered the disputed domain name, which replicates this Trademark in its entirety with the mere addition of a hyphen between the two terms of the Trademark. The Complainant's BROOKFIELD PROPERTIES Trademark largely predates the registration of the disputed domain name and has acquired substantial goodwill. Searching "BROOKFIELD" and "BROOKFIELD PROPERTIES" on popular search engines clearly lists the Complainant and its Trademarks as the top results. Moreover, the Complainant's BROOKFIELD and BROOKFIELD PROPERTIES Trademarks are also accessible for Internet users to view on public trademark databases.

Concerning the use in bad faith, the Complainant submits that the disputed domain name was used to intentionally impersonate the Complainant and confuse Internet users into believing the Complainant owned or controlled it. The disputed domain name resolved to a website reproducing the Complainant's BROOKFIELD and BROOKFIELD PROPERTIES Trademarks and presented itself as the Complainant. This confusion, coupled with the setup of "Sign In" and "Create Account" pages for Internet users to enter their sensitive information, constitutes misuse of the BROOKFIELD and BROOKFIELD PROPERTIES Trademarks and amounts to phishing. The current non-use of the disputed domain name does not prevent a finding of bad faith use in view of the passive holding doctrine. The Complainant further submits that the Respondent is operating under a false identity.

B. Respondent

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

6. Discussion and Findings

Dealing with the Respondent's failure to file a response to the Complaint, paragraph 14(b) of the Rules provides that if a party, in the absence of exceptional circumstances, does not comply with a provision of, or requirement under these Rules, the panel shall be entitled to draw such inferences from this omission, as it considers appropriate.

Paragraph 4(a) of the Policy provides that the Complainant proves each of the following three elements in order to succeed in its Complaint:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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 or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the BROOKFIELD PROPERTIES Trademark is reproduced within the disputed domain name, with the mere addition of a hyphen between "brookfield" and "properties". Accordingly, the disputed domain name is confusingly similar to this Trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Further, the gTLD ".org" is a standard registration requirement and is typically disregarded in the confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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.

According to the Complaint, which has not been rebutted by the Respondent, the Respondent is not licensed by, nor affiliated with, the Complainant in any way. The Respondent is not an authorized dealer, distributor, reseller or service provider of the Complainant. The Panel notes that the registrant organization identified in the registration details of the disputed domain name is "Brookfield Properties", however, there is no evidence before the Panel that the Respondent is actually commonly known by the disputed domain name or "Brookfield Properties". Nor is there any evidence of use or demonstrable preparations to use the disputed domain name for a bona fide offering of goods or services. There is no evidence of legitimate noncommercial or fair use of the disputed domain name, either.

On the contrary, the Panel first notes that the disputed domain name reproduces the BROOKFIELD PROPERTIES Trademark in its entirety with the mere addition of a hyphen between "brookfield" and "properties". Noting the Complainant's online presence and the prior use of the disputed domain name, the Panel finds that such composition signals the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website.

The Panel further notes that it results from the evidence provided by the Complainant that the website under the disputed domain name prominently reproduced the BROOKFIELD PROPERTIES Trademark, pretended to offer real estate services (as the Complainant) and presented itself as “Brookfield Properties” (the website indeed mentioned “Brookfield Properties is dedicated to delivering innovative real estate solutions, from residential communities to commercial developments. We are committed to quality, integrity and customer satisfaction”). According to the Complaint, the website did not contain any disclaimer explaining the (lack of) relationship with the Complainant. It further invited Internet users to enter sensitive information to create an account. In the Panel’s view, these elements demonstrate that the disputed domain name was being used for a website intended to induce Internet users into entering personal information, probably for phishing activities. The Respondent induced Internet users into falsely believing that the disputed domain name resolved to a website operated or endorsed by the Complainant for getting their personal information.

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.

Concerning the registration in bad faith, the Panel notes that the Respondent has composed the disputed domain name by reproducing the BROOKFIELD PROPERTIES Trademark in its entirety with the mere addition of a hyphen between the two parts of the Trademark. Taking into account the reputation of the Complainant’s BROOKFIELD PROPERTIES Trademark, registered long before the disputed domain name, the Panel takes the view that the Respondent more likely than not was well aware of the Complainant’s BROOKFIELD PROPERTIES Trademark when it registered the disputed domain name and registered it with the intention to mislead Internet users into believing that the disputed domain name is affiliated with, or endorsed by, the Complainant. This conclusion is reinforced by the fact that, as explained above, the disputed domain name resolves to a website offering the same services as the Complainant.

Concerning the use in bad faith, panels have held that the use of a domain name for illegitimate activity, including impersonating or passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. In the present case, the disputed domain name resolved to a website pretending to offer real estate services (as the Complainant) while prominently depicting the BROOKFIELD PROPERTIES Trademark and presenting itself as “Brookfield Properties”. Further, according to the Complaint, the website did not contain any disclaimer explaining the (lack of) relationship with the Complainant. In light of this, it seems inconceivable that the Respondent would have registered and used the disputed domain name for a reason other than seeking to unduly benefit from the Complainant, its BROOKFIELD PROPERTIES Trademark, and associated goodwill in order to induce Internet users into providing sensitive information. Although the evidence provided by the Complainant does not prove actual phishing attempts, the Panel finds it likely that the Respondent intended to use the sensitive information so provided for phishing purposes.

The website under the disputed domain name currently resolves to an error page. Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes (1) the distinctiveness and reputation of the Complainant’s BROOKFIELD PROPERTIES Trademark, (2) the composition of the disputed domain name (which reproduces the BROOKFIELD PROPERTIES Trademark almost identically, with the mere addition of a hyphen), and (3) the failure of the Respondent to submit a response. In light of this, the Panel finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel finds that the 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 <brookfield-properties.org> be transferred to the Complainant.

/Mireille Buydens/

Mireille Buydens

Sole Panelist

Date: September 16, 2026