

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. lei lei
Case No. D2026-3298

1. The Parties

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

The Respondent is lei lei, Hong Kong, China.

2. The Domain Names and Registrar

The disputed domain names <bia-ibm.com>, <bie-ibm.com>, <bio-ibm.com>, <bir-ibm.com>, and <bit-ibm.com> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 24, 2026. On July 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 29, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (John Doe / Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 29, 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 29, 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 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 20, 2026.

The Center appointed Benoit Van Asbroeck 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

The Complainant is a United States company mainly active in information technology. It was founded in 1911 and develops and delivers computers, computer hardware, software, technology related products, cloud computing and accessories. The Complainant is present in more than 175 countries worldwide, including China.

The Complainant is the owner of registered trademarks worldwide in IBM, amongst which:

- United States trademark IBM No. 1243930, registered on June 28, 1983, covering services in international class 42;
- United States trademark IBM No. 1696454, registered on June 23, 1992, covering services in international class 36; and
- United States trademark IBM No. 3002164, registered on September 27, 2005, covering goods in international class 9.

The above trademarks will be collectively referred to as the “IBM Trademarks”.

The disputed domain names were registered by the Respondent on May 18, 2026.

At the time of filing of the Complaint, two of the disputed domain names (<bia-ibm.com>, <bio-ibm.com>) were not in active use, while three domain names (<bir-ibm.com>, <bie-ibm.com> and <bit-ibm.com>) display the Complainant’s trademark and eight-bar logo, associated with information regarding cryptocurrency services, and inviting users to “Sign up now.” The Complainant has filed evidence showing that prior to filing of the Complaint, all five disputed domain names resolved to the same websites. In addition, all websites used the Complainant’s logo as the website favicon.

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 names.

The Complainant claims that the disputed domain names are confusingly similar to its IBM Trademarks, as each of the disputed domain names incorporates the IBM trademark in its entirety, adding the letters “bi”, succeeded by either the letter “a”, “e”, “o”, “r”, or “t”, the letters “ibm” separated by a hyphen, which does not prevent a finding of confusing similarity. The Complainant also claims that the generic Top-Level Domain (“gTLD”) “.com” should be disregarded for the purposes of this assessment.

Moreover, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. In this regard, the Complainant asserts that it has never authorised the Respondent to use its IBM trademark or to register any domain name incorporating that mark. It further submits that the Respondent is not commonly known by the disputed domain names, and has not used nor made demonstrable preparations to use any of the disputed domain names in connection with a bona fide offering of goods or services.

The Complainant contends that the Respondent has registered and is using the disputed domain names in bad faith. The Complainant alleges that the Respondent should have been aware of the Complainant's rights at the time of registration, and that registration of five domain names all incorporating that mark in full, combined with the use of the Complainant's eight-bar logo, demonstrates clear attempts to create confusion as to the source, sponsorship, affiliation, or endorsement of the disputed domain names.

The Complainant requests the transfer of all five disputed domain names.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, in order to successfully request the transfer of the disputed domain names, the Complainant must prove each of the following three elements:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The Panel will proceed to analyse whether the three elements of paragraph 4(a) of the Policy are satisfied in the present case.

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 trademarks and the disputed domain names. 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, supported by multiple United States trademark registrations for the IBM Trademarks. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the IBM Trademarks are clearly recognizable within each of the disputed domain names. Each disputed domain name incorporates IBM, with only the addition of "bi" succeeded by either the letter "a", "e", "o", "r", or "t" and a hyphen, which does not prevent a finding of confusing similarity. Accordingly, the disputed domain names are confusingly similar to the IBM Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here a short prefix and a hyphen, 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 names and the IBM Trademarks 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 in relation to each of the disputed domain names.

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.

The Complainant holds registered rights in the IBM Trademarks in numerous jurisdictions. The Panel is hence satisfied that the Complainant has well-established rights in the IBM Trademarks.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant submits that (i) it never authorised the Respondent to use its IBM Trademarks or to register any domain name incorporating that mark, (ii) that the Respondent is not commonly known by the disputed domain names, and (iii) that the Respondent is not making a bona fide offering of goods or services under the disputed domain names.

Furthermore, the nature of the disputed domain names and the evidence of their use in connection with alleged cryptocurrency-related services displaying IBM trademark and a copyright notice in the name of “IBM Inc.”, indicate the Respondent’s intent to pass itself off as the Complainant. There are also reasonable suspicions that the disputed domain names may be intended for phishing or other fraudulent activities targeting the Complainant’s customers.

Indeed, while two disputed domain names resolve to blank or error pages, three disputed domain names are being used by the Respondent in a manner that strongly suggests an intent to impersonate the Complainant or to exploit the IBM Trademarks for commercial gain, which is irreconcilable with any legitimate interest.

These three disputed domain names, which are confusingly similar with the Complainant’s trademarks, resolve to websites which also display IBM trademark and logos in association with cryptocurrency-related information and incentives for website visitors to provide their personal information (via “login” and “register” functions on the websites at the disputed domain names). The above strongly suggests that those domain names may be associated with phishing or other fraudulent activities targeting the Complainant’s customers. While the Panel has been unable to verify the accuracy of this information, it notes that the use of a domain name for phishing or other fraudulent purposes cannot confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel finds the second element of the Policy has been established in relation to each of the disputed domain names.

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.

This includes the circumstance that, by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

In this instance, three disputed domain names are being used by the Respondent in a manner that strongly suggests an intent to impersonate the Complainant or to exploit the IBM Trademarks for commercial gain, which meets the aforementioned criterion. Further, the Complainant's evidence shows that all five domain names were previously used in the same manner.

The Panel infers from the foregoing that the Respondent registered and uses the disputed domain names in bad faith.

Further, paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

As regards the two disputed domain names that are currently not in use, panels have found that the non-use of a domain name (including a blank or "coming soon" page) 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, in particular the composition of the disputed domain names, the pattern of bad faith conduct demonstrated by the Respondent in registering multiple domain names incorporating the IBM Trademarks and the impersonating use of the domain names which is a paradigmatic example of bad faith use, the domain names represent a deliberate attempt to deceive Internet users and to cause harm to both the Complainant and consumers.

The Panel finds it difficult to conceive of a plausible explanation for the registration of five disputed domain names each incorporating the IBM Trademarks in a pattern varying only a single letter, other than an awareness of, and an intention to target, the Complainant and its rights. In the absence of any credible explanation put forward by the Respondent, the Panel considers that there is a material risk that the remaining disputed domain names could be used for similar purposes in the future – as they have already been used in the past – whether as active websites or as mail servers that may be employed in communications giving a false impression of association with the Complainant. Having reviewed the record, the Panel finds that the Respondent also registered and uses the currently inactive disputed domain names <bia-ibm.com> and <bio-ibm.com> in bad faith.

The Panel finds that the Complainant has established the third element of the Policy in respect of each of the disputed domain names.

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 names <bia-ibm.com>, <bie-ibm.com>, <bio-ibm.com>, <bir-ibm.com>, and <bit-ibm.com> be transferred to the Complainant.

/Benoit Van Asbroeck/

Benoit Van Asbroeck

Sole Panelist

Date: September 7, 2026