# ADMINISTRATIVE PANEL DECISION

New Enterprise Associates, Inc. v. Michael Taylor, MT Digital Solutions
Case No. D2026-3315

## 1. The Parties

The Complainant is New Enterprise Associates, Inc., United States of America (“United States”), represented by Proskauer Rose LLP, United States.

The Respondent is Michael Taylor, MT Digital Solutions, United States.

## 2. The Domain Name and Registrar

The disputed domain name <neastrategic.com> is registered with Nicenic International Group Co., Limited (the “Registrar”).

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 27, 2026. On July 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 29, 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 (Not provided / REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same date, 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 the same date.

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 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 27, 2026.

The Center appointed Angela Fox 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 is a venture capital firm, with offices in the United States and the United Kingdom. It invests in technology and healthcare companies and has more than USD 35 billion in assets under management. Since its founding, the Complainant has achieved more than 285 public listings, more than 510 mergers and acquisitions, and the creation of hundreds of billion-dollar businesses. Its business has been the subject of media commentary in widely distributed independent media outlets, including Fortune and Forbes magazines.

The Complainant has been carrying out its business under the trademark NEA since 1978, and has maintained an active website at "www.nea.com" for over 30 years. The Complainant owns numerous trademark registrations for NEA in word and stylized form, including the following, details of which were annexed to the Complaint:

- United States trademark registration No. 2994459 for NEA in class 36, registered on September 13, 2005; and

- United States trademark registration No. 5123461 for NEA (figurative) in class 36, registered on January 17, 2017.

The disputed domain name was registered on April 15, 2026. According to the Complaint, it does not resolve to any active website and returns a "404 Not Found" error, but appears to have been used in connection with an email-based impersonation scheme targeting the Complainant. Annexed to the Complaint was a report of an attempted investment fraud from the victim company, together with copies of emails sent to the victim from email addresses associated with the disputed domain name. The report and copy emails indicate that the Respondent impersonated genuine employees of the Complainant in an attempt to perpetrate an investment fraud. The scheme was complex and sophisticated and led to the victim granting the Respondent access to its confidential data room and to the disclosure of highly sensitive business information.

**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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's trademark, NEA. The disputed domain name includes the NEA trademark in its entirety, adding only the descriptive word "strategic", which is relevant to the strategic nature of the services which the Complainant provides to its clients, and the generic Top-Level Domain ".com".

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name, and the Complainant has not granted the Respondent permission to use its NEA mark. There is no evidence that the Respondent has used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, nor that the Respondent has been making any legitimate noncommercial or fair use of it. On the contrary, the evidence shows that the Respondent has used it in connection with an attempted investment fraud based on impersonation of the Complainant, which is manifestly illegitimate and cannot give rise to rights or legitimate interests under the Policy.

Finally, the Complainant submits that the Respondent's use of the disputed domain name in connection with the sending of emails fraudulently impersonating the Complainant and an attempted investment fraud demonstrates that the Respondent registered and has used the disputed domain name in bad faith, because the use was clearly made with the intention of creating a likelihood of confusion with the Complainant in contravention of paragraph 4(b)(iv) of the Policy. The Complainant submits moreover that the use of a domain name for impersonation and other fraudulent activity is compelling evidence of bad faith registration and use.

**B. Respondent**

The Respondent did not reply to the Complainant's contentions and is in default. No exceptional circumstances explaining the default have been put forward. Therefore, in accordance with paragraphs 14(a) and (b) of the Rules, the Panel will decide the Complaint and shall draw such inferences, as it considers appropriate from the Respondent's default.

## 6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant can only succeed in an administrative proceeding under the Policy if the panel finds that:

(i) the disputed domain name is 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 the disputed domain name; and
(iii) the disputed domain name has been registered and is being used in bad faith.

All three elements must be present before a complainant can succeed in an administrative proceeding under the Policy.

**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 the trademark NEA for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the NEA mark is reproduced 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, section 1.7. Although the addition of other terms, here, "strategic", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity. WIPO Overview 3.1, section 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.

Panels have held that the use of a domain name for illegitimate activities such as phishing/identity theft, impersonation, or other types of fraud can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Complainant has shown evidence that the Respondent has used email addresses associated with the disputed domain name to impersonate employees and officers of the Complainant, in connection with what appears to have been a sophisticated attempt to defraud a third-party investor. The Respondent has not attempted to rebut this evidence.

In light of the above, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

The second element of the Policy has been established.

**C. Registered and Used in Bad Faith**

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.

In particular, panels have held that the use of a domain name for illegitimate or illegal activity such as phishing/identity theft or the sending of deceptive emails impersonating a complainant or an employee of a complainant demonstrates a respondent's bad faith. WIPO Overview 3.1, section 3.4.

Having reviewed the record, the Panel finds that the Complainant has shown that the disputed domain name, comprising of the entire NEA trademark and the term "strategic" referring to the Complainant's business, has been used in connection with the sending of emails impersonating an employee of the Complainant and its Chief Investment Officer, as part of an attempted investment fraud. These acts demonstrate that the Respondent registered the disputed domain name with knowledge of the Complainant and its NEA trademark and with the intention of using the disputed domain name in connection with impersonation and the commission of investment fraud. The Panel finds that the Respondent registered and has used the disputed domain name in bad faith.

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 <neastrategic.com> be transferred to the Complainant.

*/Angela Fox/*
**Angela Fox**
Sole Panelist
Date: September 21, 2026