

ADMINISTRATIVE PANEL DECISION

Inclusiv, Inc. v. Carrie Harris
Case No. D2026-3759

1. The Parties

Complainant is Inclusiv, Inc., United States of America ("United States"), represented by Mayer Brown LLP, United States.

Respondent is Carrie Harris, United States.

2. The Domain Name and Registrar

The Disputed Domain Name <inculsiv.org> is registered with Wild West Domains, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 21, 2026. On August 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 26, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on August 28, 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 August 28, 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 Respondent of the Complaint, and the proceedings commenced on August 31, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 20, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 24, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on October 1, 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 is a nonprofit corporation organized under the laws of the District of Columbia with its headquarters in New York, United States.

Complainant is a nationally recognized nonprofit membership organization and has been operating under the name “Inclusiv” since 2018 and the under the domain name <inclusiv.org> since 2019. Complainant is a leading trade association and network for community development credit unions in the United States. Complainant provides a comprehensive range of services to its members, including capital investment programs, lending, advocacy, training, consulting, and capacity-building services for community development financial institutions.

Complainant owns a valid and subsisting United States trademark registration for INCLUSIV (the “INCLUSIV Mark”): Registration No. 5,783,520, registration date June 18, 2019 in international class 36. The registration is incontestable and provides conclusive evidence of Complainant’s exclusive right to use the INCLUSIV Mark in the United States in connection with financial investment and consulting services.

The Disputed Domain Name was registered on July 20, 2026. The Disputed Domain Name is enrolled in a mail exchange (MX) which allows for the sending and receiving of email. Respondent has used the Disputed Domain Name to send emails to Complainant’s employee and external contact.

5. Parties’ Contentions

A. Complainant

Complainant contends that the Disputed Domain Name is confusingly similar to Complainant’s INCLUSIV Mark. The Disputed Domain Name transposes two letters – reversing “lu” to “ul” in the middle of the word, which is a classic typosquatting technique specifically designed to create visual confusion with Complainant’s legitimate domain name <inclusiv.org> and with the INCLUSIV Mark.

Complainant submits that it has never authorized, licensed, or otherwise permitted Respondent to use the INCLUSIV Mark or any variation thereof. Complainant further submits that Respondent has no connection to Complainant, is not commonly known by the name “Inculsiv” or any similar name, and has no trademark or service mark rights in that term.

Complainant further submits that, through its longstanding use and promotion of the INCLUSIV Mark in connection with its financial services, advocacy, training, investment programs, and member services, Complainant has developed substantial goodwill and recognition associated with the INCLUSIV Mark, which has become a distinctive identifier that consumers (including credit unions, financial institutions, policymakers, regulators, and community organizations) associate exclusively with Complainant.

Complainant further submits that Respondent registered and used the Disputed Domain Name for phishing and impersonation targeting of Complainant’s staff, members, and external contacts. On multiple occasions, phishing emails were sent from an email address [...]@inculsiv.org leveraging the Disputed Domain Name. The phishing emails impersonated Complainant’s personnel in an effort to deceive the recipients. The phishing emails were sent from the fraudulent SurveyMonkey account to at least one of Complainant’s staff and at least one external contact.

Complainant further submits that the Disputed Domain Name does not resolve to any website offering goods, services, or information. The evidence reflects that Respondent used the Disputed Domain Name to create deceptive email accounts that impersonated Complainant and facilitated a phishing scheme.

Complainant further submits that such activity cannot be considered a bona fide offering of goods or services, or a legitimate use of the Disputed Domain Name.

Complainant alleges that such activity is also considered bad faith under paragraph 4(a)(iii) of the Policy.

Complainant further alleges that it sent a cease-and-desist letter to Respondent demanding that Respondent cease its unauthorized use of the Disputed Domain Name and transfer the Disputed Domain Name to Complainant. Respondent continued to retain the Disputed Domain Name and associated email functionality. Complainant alleges that this is additional evidence of bad faith registration and use of the Disputed Domain Name.

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the mark in which Complainant has rights; and
- ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

[WIPO Overview 3.1](#), section 1.2.1 states that registration of a trademark, here the INCLUSIV Mark, prima facie satisfies the threshold requirement of Complainant having trademark rights for purposes of standing to file a UDRP case.

Complainant has shown rights in respect of the INCLUSIV Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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 mark and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The Panel finds the INCLUSIV Mark is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the INCLUSIV Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The Disputed Domain Name is a misspelling of the INCLUSIV Mark. [WIPO Overview 3.1](#), section 1.9.

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 Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name.

Paragraph 4(c) of the Policy allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that 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 Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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 the Disputed Domain Name for illegitimate activity, here claimed as passing off and a phishing scheme, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 the Disputed Domain Name in bad faith.

The Policy paragraph 4(b) sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or
- (ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

The Panel finds that the actions of Respondent satisfy the criteria of paragraph 4(b)(iii) of the Policy.

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 Respondent's registration and use of the Disputed Domain Name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed as passing off and a phishing scheme, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

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 <inculsiv.org> be transferred to Complainant.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: October 9, 2026