

## **ADMINISTRATIVE PANEL DECISION**

CDW LLC v. 2 Point Omg Pty Ltd  
Case No. DAU2025-0046

### **1. The Parties**

The Complainant is CDW LLC, United States of America ("United States"), represented by Actuate IP, Australia.

The Respondent is 2 Point Omg Pty Ltd, Australia, self-represented.

### **2. The Domain Name and Registrar**

The disputed domain name <cdw.au> is registered with Micron21 Data Centre Pty Ltd (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 3, 2025. On October 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 21 and October 24, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the .au Dispute Resolution Policy (the "Policy"), the Rules for .au Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceeding commenced on October 27, 2025. In accordance with the Rules, paragraph 5(a) and 5(d), the due date for Response was November 30, 2025. The Response was filed with the Center on November 30, 2025.

The Center appointed Sebastian M.W. Hughes as the sole panelist in this matter on December 4, 2025. 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.

On December 11, 2025, the Complainant submitted an unsolicited supplemental filing to the Center.

On December 15, 2025, the Respondent submitted an unsolicited supplemental filing to the Center, in response to the Complainant's supplemental filing.

On December 15, 2025, the Respondent submitted a further unsolicited supplemental filing to the Center.

#### **4. Factual Background**

##### **A. Complainant**

The Complainant is a private company incorporated in Illinois in the United States, carrying on business since 1994 as a provider of a range of IT and telecommunications goods and services under the word and logo trade mark CDW (the "Trade Mark").

The Complainant has had an office in Sydney, Australia, since 2013 to manage its Australian sales operations, and currently has approximately 694 customers in Australia.

The Complainant is the owner of several registrations in Australia for or comprising the Trade Mark, the first of which, registration No. 1694543, was registered with a registration date of May 19, 2015.

The Complainant has registered and used the domain name <cdw.com> since around 1994 in respect of the Complainant's global website promoting and offering for sale the Complainant's goods and services under the Trade Mark. The Complainant has registered and used the domain name <au-cdw.com.au> since around 2016 in respect of the Complainant's Australian website promoting and offering for sale the Complainant's goods and services under the Trade Mark to customers in Australia.

##### **B. Respondent**

The Respondent is a company incorporated in Australia. The Respondent and its group of companies carry on business as domain name investors.

The Respondent and its group of companies are the owners of several hundred Australian domain names relating to car rental, vehicle hire and insurance.

##### **C. The Disputed Domain Name**

The disputed domain name was registered on September 19, 2022.

##### **D. Use of the Disputed Domain Name**

The disputed domain name has not been resolved to an active website.

#### **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, as to the Respondent's alleged lack of rights or legitimate interests in the disputed domain name, that:

- (i) The Respondent is not in any way affiliated with the Complainant, and has never been authorised by the Complainant to use the Trade Mark;

- (ii) There is no evidence of the Respondent trading under the name “cdw”, or that the Respondent is commonly known by the disputed domain name;
- (iii) The term “cdw” is an invented word with no inherent meaning; and
- (iv) The Respondent has not used the disputed domain name in respect of an active website.

As to registration or use in bad faith, the Complainant notably contends that:

- (i) The disputed domain name was registered for the purposes of selling, renting, or otherwise transferring the disputed domain name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent’s out-of-pocket costs;
- (ii) The term “cdw” is an invented word with no inherent meaning or colloquial association, and the Trade Mark has a strong reputation in relation to the Complainant’s goods and services. It is reasonable to infer that the Respondent would have been aware of the Trade Mark at the time of registration of the disputed domain name, and there is no other apparent legitimate reason for the Respondent’s registration of the disputed domain name. It is relevant that the disputed domain name exactly matches the Trade Mark (aside from the different top-level domain);
- (ii) A reverse domain name search for the Respondent returns results for at least 875 domain names for which the Respondent is currently, or has been, listed as owner.

## **B. Respondent**

The Respondent contends that the second and third elements required under the Policy for a transfer of the disputed domain name have not been satisfied.

Notably, the Respondent contends that:

- (i) In addition to other meanings, the acronym “cdw” is commonly used as an abbreviation for “Collision Damage Waiver” – a standard insurance term in the rental vehicle sector – as is confirmed in the dictionary definitions for the term filed by the Complainant together with the Complaint;
- (ii) The Respondent has rights or legitimate interests in the disputed domain name. At the time of its registration, the disputed domain name represented a logical and commercially relevant addition to the Respondent’s domain name portfolio;
- (iii) The Respondent has been the owner of the domain name <cdw.com.au> since April 11, 2008. Under the auDA’s Priority Status Allocation Process for the launch of .au direct names, the Respondent, as the registrant of the domain name <cdw.com.au> prior to March 24, 2022, had an automatic statutory right to apply for the exact-match .au direct domain, <cdw.au> (the disputed domain name herein);
- (iv) The Respondent maintains that it was not aware of the Complainant or of its Trade Mark until the receipt of the Complainant’s letter before action, received just prior to the filing of this Complaint, in October 2025;
- (v) The Respondent’s registration of the disputed domain name is consistent with the Respondent’s legitimate business as an investor in domain names in the insurance and vehicle rental fields;
- (vi) Accordingly, there is no basis for concluding that the Respondent targeted the Complainant and its Trade Mark at the time of registration of the disputed domain name.

In light of the above, the Respondent requests a finding of Reverse Domain Name Hijacking (“RDNH”).

## **6. Discussion and Findings**

### **6.1 The Parties' Supplemental Filings**

Unsolicited supplemental filings filed after panel appointment are usually only allowed in exceptional circumstances.

In the present proceeding, the Panel finds that the Parties have failed to demonstrate any such exceptional circumstances.

Accordingly, the Panel refuses to allow the supplemental filings. In any event, even if the Panel had admitted the Parties' supplemental filings, it would not have affected the outcome of this proceeding.

### **6.2 Substantive Elements of the Policy**

The Complainant must prove each of the three elements in paragraph 4(a) of the Policy in order to prevail.

#### **A. Identical or Confusingly Similar**

The Panel finds that the Complainant has rights in the Trade Mark.

Disregarding the country code Top-Level Domain, the disputed domain name is identical to the Trade Mark.

Therefore, the Complainant has established the first requirement under the Policy.

#### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of non-exhaustive circumstances any of which is sufficient to demonstrate that a respondent has rights or legitimate interests in a disputed domain name:

- (i) before any notice to the respondent of the dispute, the respondent's bona fide use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with an offering of goods or services (not being the offering of domain names that the respondent has acquired for the purpose of selling, renting or otherwise transferring); or
- (ii) the respondent (as an individual, business, or other organisation) has been commonly known by the disputed domain name even if the respondent has acquired no trade mark or service mark rights; or
- (iii) the respondent is making a legitimate non-commercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the name, trade mark or service mark at issue.

The dictionary definitions relied upon by both Parties in this proceeding demonstrate that the acronym "cdw" is commonly used as an abbreviation for "Collision Damage Waiver". The Respondent has filed further evidence from "Acronym Finder" of numerous other usages of the acronym "cdw" as abbreviations for terms and phrases unrelated to the Trade Mark and the IT and telecommunications goods and services provided thereunder by the Complainant.

It is well-established that the registration of three letter acronyms by domain name investors may give rise to rights or legitimate interests for the purposes of the Policy, provided there is no evidence that the registrant is targeting a third party's trade mark.

The Respondent's allegation that it was the prior registrant of the domain name <cdw.com.au> and that it was therefore automatically assigned the priority right to register the disputed domain name under the

auDA's Priority Status Allocation Process for the launch of .au direct names does not appear to be correct. It would appear that the registrant of the domain name <cdw.com.au> is not the Respondent, but a related entity of the Respondent – a company which shares the same authorised person, contact address, email address and telephone number as the Respondent<sup>1</sup>.

In light, however, of the established business of the Respondent and its group of companies as investors in domain names relating to the insurance and vehicle rental sectors, and the prior registration by the Respondent's related entity, since April 11, 2008, of the domain name <cdw.com.au>, the Panel finds that the Respondent has demonstrated genuine rights or legitimate interests in the disputed domain name. The Complainant's reverse domain name search – which shows that the Respondent has been the registrant of no less than 875 domain names – is supportive of this conclusion. In all the circumstances, the fact the disputed domain name has not been actively used by the Respondent is not of itself supportive of a lack of rights or legitimate interests in the disputed domain name.

Therefore, the Complainant has failed to establish the second element under the Policy.

### **C. Registered or Subsequently Used in Bad Faith**

There is no evidence before the Panel to support the Complainant's contention that the Respondent has registered the disputed domain name for the purposes of selling, renting, or otherwise transferring the disputed domain name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's out-of-pocket costs. The acknowledged passive holding of the disputed domain name, absent any evidence of an offer to sell the disputed domain name, suggests the contrary.

The Respondent's assertion that, prior to receipt of the Complainant's letter before action in October 2025, it had no knowledge of the Complainant and of the Trade Mark, provides further support for the conclusion that the Respondent has not targeted the Complainant and its Trade Mark in registering the disputed domain name. There is no direct evidence before the Panel to support the contrary.

In all the circumstances, the Panel is unable to draw the inference requested by the Complainant – namely, that the Respondent would have been aware of the Trade Mark at the time of registration of the disputed domain name, and there is no other apparent legitimate reason for the Respondent's registration of the disputed domain name.

For all the foregoing reasons, the Panel concludes that the disputed domain name has not been registered or used bad faith, under paragraph 4(b)(i) of the Policy.

Therefore, the Complainant has failed to establish the third element under the Policy.

### **D. RDNH**

The Panel considers there is force in the Respondent's submissions that the Complainant, being represented by experienced counsel, ought not to have commenced this proceeding absent any evidence that the Respondent had knowledge of, and was targeting, the Complainant and its Trade Mark at the time of registration of the disputed domain name.

The Complainant's allegations of bad faith registration or use are based on the bare assertion that the Respondent registered the disputed domain name for the purpose of selling it to the Complainant or a competitor of the Complainant – an assertion which is contradicted by the evidence of the Respondent's passive holding of the disputed domain name. Further, no submissions were put forward by the Complainant

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<sup>1</sup>See also the related decision involving the disputed domain name <cdw.com.au> (WIPO Case No. [DAU2025-0045](#), *CDW LLC v. Internet Marketing Australia Pty Ltd*).

addressing how the Respondent's passive use of the disputed domain name might otherwise support a finding of bad faith.

Absent any evidence of an offer to sell the disputed domain name, the Complainant and its counsel ought to have recognised that it would not be possible to demonstrate bad faith, based merely on assumption and conjecture.

The Panel also considers that the Complainant and its counsel ought to have recognised that, on the facts of this proceedings – including in particular the fact the disputed domain name consists of a three letter acronym with, amongst other meanings, an established dictionary meaning wholly unrelated to the Complainant's goods and services provided under the Trade Mark – it would not be possible to demonstrate that the Respondent, as a domain name investor, did not have rights or legitimate interests in the disputed domain, irrespective of the fact the disputed domain name has not been used.

It was, in all the circumstances, and on the facts of this case, inappropriate for the Complainant to request the Panel to draw the inference sought.

In light of the above, the Panel makes a finding of RDNH against the Complainant.

## **7. Decision**

For all the foregoing reasons, the Complaint is denied.

*/Sebastian M.W. Hughes/*

**Sebastian M.W. Hughes**

Sole Panelist

Date: December 23, 2025