

ADMINISTRATIVE PANEL DECISION

stichting BDO v. Israel Somoria, Israel Somoria
Case No. DCC2026-0008

1. The Parties

The Complainant is stichting BDO, Netherlands (Kingdom of the), represented by Dechert LLP, United States of America (“United States”).

The Respondent is Israel Somoria, Israel Somoria, Philippines.

2. The Domain Names and Registrar

The disputed domain names <bdodigital.cc> (the “First Domain Name”), <digitalbdo.cc> (the “Second Domain Name”) and <bdomobile.cc> (the “Third Domain Name”) (collectively referred to as the “Domain Names”) are registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 9, 2026, in relation to the Second Domain Name. On April 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Second Domain Name. On April 10, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Second Domain Name which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 14, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

On April 17, 2026, the Complainant filed an amended Complaint in which it requested the consolidation of another proceeding concerning the First Domain Name and the addition of the Third Domain Name to the present proceeding (the “First Amended Complainant”). The First Amended Complainant concerned only the Second Domain Name and the Third Domain Name, excluding the First Domain Name.

The Center verified that the Complaint together with the First Amended Complainant 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”).

The Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 20, 2026.

The Center appointed Piotr Nowaczyk as the sole panelist in this matter on May 29, 2026. The Panel found 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 June 8, 2026, the Panel instructed the Center to request the Registrar's verification in relation to the Third Domain Name. On June 8, 2026, the Center transmitted by email to the Registrar a Request for Registrar Verification in connection with the Third Domain Name. On June 9, 2026, the Registrar confirmed that the Respondent is listed as the registrant of the Third Domain Name and providing the same contact details.

Noting that the First and Second Domain Names and the Third Domain Name shared the same Respondent details, and that the First Amended Complaint had been notified to the Respondent on April 23, 2026, the Panel issued Procedural Order No. 1 on June 11, 2026, requesting the Complainant to file a further amended Complaint including all three Domain Names. The Panel further invited the Respondent to submit any comments on the second amended Complaint.

On June 15, 2026, the Complainant submitted the second amended Complaint in relation to all three Domain Names (the "Second Amended Complaint"). The Respondent did not submit any comments on the Second Amended Complaint.

4. Factual Background

The Complainant is the intellectual property holding entity of the global BDO network. The BDO network is an internationally renowned network of public accounting firms dating back to 1963. It offers a wide range of professional services within the financial services industry, including digital and technology services, financial services, audit, tax planning, trust and estate planning, as well as advisory services across sectors such as technology, business advisory, banking, capital markets, insurance, and asset management.

The BDO network currently comprises more than 111,000 professionals working from over 1,800 offices in 164 countries and territories worldwide.

In January 2020, the Complainant launched BDO Digital LLC, a digital advisory business focused on helping middle-market companies innovate and modernize their operations through technology-driven solutions.

The Complainant is the owner of numerous BDO trademark registrations, including:

- the United States Trademark Registration for BDO (word trademark) No. 4854142, registered on November 17, 2015;
- the United States Trademark Registration for BDO (combined trademark) No. 2699812, registered on March 25, 2003; and
- the European Union Trademark Registration for BDO (word trademark) No. 002419778, registered on December 9, 2002.

The Complainant claims that it is also the owner of numerous domain names incorporating its BDO trademark, including <bdo.com>, which it uses in connection with the promotion of its services and the online presence of the BDO network.

The First Domain Name and the Second Domain Name were registered on February 26, 2026. The Third Domain Name was registered on March 3, 2026.

At the time of the filing of the Complaint, the First Domain Name and the Second Domain Name resolved to a block page informing users that they are unable to access the website because access has been restricted by a security protection service. The Third Domain Name did not resolve to any active website.

As of the date of this Decision, the First Domain Name and the Second Domain Name resolve to a browser warning page identifying the website as a potential security threat and cautioning users that it may contain malicious or fraudulent content. The Third Domain Name does not resolve to any 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 Domain Names.

First, the Complainant contends that the Domain Names are confusingly similar to the trademark in which the Complainant has rights.

Second, the Complainant argues that the Respondent has neither rights nor legitimate interests in the Domain Names.

Third, the Complainant submits that the Domain Names were registered and are being used in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy places a burden on the Complainant to prove the presence of three separate elements, which can be summarized as follows:

- (i) the 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 the Domain Names; and
- (iii) the Domain Names have been registered and are being used in bad faith.

The applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence"; some panels have also expressed this as an "on balance" standard. Under this standard, a party should demonstrate to a panel's satisfaction that it is more likely than not that a claimed fact is true. See section 4.2 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)").

A. Identical or Confusingly Similar

Under the first element, the Complainant must establish that the Domain Names are identical or confusingly similar to the trademark in which the Complainant has rights.

The Complainant holds valid registrations for the BDO trademark. The Domain Names incorporate this trademark in its entirety. As numerous UDRP panels have held, in cases where a domain name incorporates the entirety of a trademark, the domain name will normally be considered confusingly similar to that mark. See section 1.7 of the [WIPO Overview 3.1](#).

The addition of the terms “digital” and “mobile” in the Domain Names does not prevent a finding of confusing similarity between the Domain Names and the Complainant’s BDO trademark. Panels have consistently held that where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. See section 1.8 of the [WIPO Overview 3.1](#).

The country-code Top-Level Domain (“ccTLD”) “.cc” in the Domain Names is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. See section 1.11.1 of the [WIPO Overview 3.1](#).

Given the above, the Panel finds that the Domain Names are confusingly similar to the Complainant’s BDO trademark. Thus, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Under the second element, the Complainant must prove that the Respondent has no rights or legitimate interests in the Domain Names.

A right or legitimate interest in the Domain Names may be established, in accordance with paragraph 4(c) of the Policy, if the Panel finds any of the following circumstances:

- (i) that the Respondent has used or made preparations to use the Domain Names or a name corresponding to the Domain Names in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that the Respondent is commonly known by the Domain Names, even if the Respondent has not acquired any trademark rights; or
- (iii) that the Respondent is making a legitimate noncommercial or fair use of the Domain Names without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

In the present case, the Panel finds that the Complainant has established a prima facie case that the Respondent does not have any rights or legitimate interests in the Domain Names, and the burden of production shifts to the Respondent. See section 2.1 of the [WIPO Overview 3.1](#). Although given the opportunity, the Respondent has not submitted any evidence indicating that any of the circumstances foreseen in paragraph 4(c) of the Policy are present in this case.

On the contrary, it results from the evidence on record that the Complainant’s BDO trademark registrations predate the Respondent’s registration of the Domain Names. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the BDO trademark or to register the Domain Names incorporating this trademark. There is also no evidence to suggest that the Respondent has been commonly known by the Domain Names.

Moreover, the composition of the Domain Names carries a risk of implied affiliation with the Complainant, particularly noting the Complainant’s established company, BDO Digital LLC. See section 2.5.1 of the [WIPO Overview 3.1](#).

Furthermore, it results from the evidence on record that the Respondent does not make use of the Domain Names in connection with a bona fide offering of goods or services, nor does it make a legitimate noncommercial or fair use of the Domain Names. At the time of the filing of the Complaint, the First Domain Name and the Second Domain Name resolved to a block page informing users that access to the websites had been restricted by a security protection service, while the Third Domain Name did not resolve to any active website. As of the date of this Decision, the First Domain Name and the Second Domain Name resolve to a browser warning page identifying the websites as potential security threats and cautioning users that they may contain malicious or fraudulent content. The Third Domain Name continues not to resolve to

any active website. Such use of the Domain Names (or the lack of use thereof) does not confer any rights or legitimate interests on the Respondent.

In sum, the Respondent has failed to invoke any circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in respect of the Domain Names. Thus, there is no evidence in the case file that refutes the Complainant's prima facie case. The Panel concludes that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under the third element, the Complainant must prove that the Domain Names have been registered and are being used in bad faith.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1 of the [WIPO Overview 3.1](#).

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use includes, without limitation:

- (i) circumstances indicating the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding domain name, provided it is a pattern of such conduct; or
- (iii) circumstances indicating that the domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with a trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on a website or location.

In the present case, as indicated above, the Complainant's rights in the BDO trademark predate the registration of the Domain Names. This Panel finds that the Respondent was or should have been aware of the Complainant's BDO trademark at the time of registration. This finding is supported by the composition of the Domain Names, which wholly incorporate the Complainant's distinctive BDO trademark together with the term "digital", which directly corresponds to the Complainant's digital advisory business, BDO Digital LLC, or the term "mobile", which is closely related to the Complainant's mobile and digital services. Moreover, it has been proven to the Panel's satisfaction that the BDO trademark is well known and unique to the Complainant, particularly in the fields of accounting, audit, tax, advisory, consulting, financial, and digital services. Thus, the Respondent could not ignore the reputation of the BDO trademark.

Furthermore, at the time of the filing of the Complaint, and as of the date of this Decision, the Domain Names either resolved to security warning or blocking pages or did not resolve to any active website at all. Considering the overall circumstances of this case, the Panel finds that the Respondent's passive holding of the Domain Names does not prevent a finding of bad faith.

From the inception of the UDRP, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use,

(iii) the respondent's taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of its registration agreement). See section 3.3 of the [WIPO Overview 3.1](#).

In the present case, the Panel notes in particular the distinctiveness and reputation of the Complainant's BDO trademark, the Respondent's failure to submit any Response or evidence of actual or contemplated good-faith use, and the composition of the Domain Names, which wholly incorporates the Complainant's BDO trademark together with the terms "digital" and "mobile". Accordingly, the Panel finds that the passive holding of the Domain Names does not prevent a finding of bad faith.

Finally, the Panel notes that the Respondent was previously involved in another UDRP concerning a domain name that targeted the Complainant's trademark rights, namely *Stichting BDO v. Israel Somoria*, WIPO Case No. [DCO2026-0037](#). Together with the registration of the Domain Names in the present case, this supports a finding of a pattern of bad-faith conduct. See section 3.1.2 of the [WIPO Overview 3.1](#).

For the reasons discussed above, the Panel finds the third element of the Policy has been established.

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 Domain Names <bdodigital.cc>, <digitalbdo.cc> and <bdomobile.cc> be transferred to the Complainant.

/Piotr Nowaczyk/

Piotr Nowaczyk

Sole Panelist

Date: June 22, 2026