

## **ADMINISTRATIVE PANEL DECISION**

Stichting BDO v. Israel Somoria  
Case No. DCC2026-0013

### **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, Philippines.

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

The disputed domain name <bdomobile.cc> is registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 5, 2026. On May 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 7, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 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 amended Complaint on May 12, 2026.

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 May 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 13, 2026.

The Center appointed Halvor Manshaus as the sole panelist in this matter on June 17, 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 the central trademark-holding entity of the international BDO network of independent member firms. The BDO network was founded in 1963 and operates in 164 countries through more than 1,800 offices with over 111,000 personnel worldwide. The network provides accounting, tax, business advisory and related professional services, including mobile technology services such as the BDO Global Mobility Toolkit, used in connection with managing mobile workforces.

The Complainant owns several trademark registrations worldwide for BDO, including:

- The United States trademark registration number 4,854,142, registered on November 17, 2015, covering various goods and services in classes 9, 16, 35, 36, 41, 42, and 45; and
- The United States trademark registration number 2,699,812, registered on March 25, 2003, covering various goods and services in classes 9, 16, 35, 36, 41, and 42.

Further, the Complainant also holds the domain name <bdo.com>, registered on February 28, 1995, and several country-code Top-Level domain names incorporating the BDO mark.

The disputed domain name was registered on March 3, 2026. The disputed domain name does not resolve 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 that the disputed domain name is confusingly similar to the Complainant's registered trademarks. The disputed domain name incorporates the Complainant's trademark in its entirety with the addition of the descriptive term "mobile". The Complainant submits that the addition of this term does not prevent a finding of confusing similarity and, in the circumstances of this case, refers to services offered by the BDO network, including the BDO Global Mobility Toolkit.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant and has not been licensed or authorized to use the BDO mark. The Complainant further submits that the disputed domain name resolves to an inactive website and that such passive holding does not constitute a bona fide offering of goods or services, or legitimate noncommercial or fair use.

The Complainant asserts that the disputed domain name was registered and is being used in bad faith. The Complainant submits that its BDO mark is well known and distinctive, and that the Respondent was or should have been aware of the Complainant and its trademarks when registering the disputed domain name. The Complainant further submits that the composition of the disputed domain name, combining the BDO mark with the term "mobile", indicates that the Respondent had the Complainant and its services in mind. The Complainant notes that the Respondent has made no active use of the disputed domain name. Referring to the principles concerning passive holding, the Complainant argues that the Respondent's non-

use of the disputed domain name, together with the distinctiveness and reputation of the BDO mark, the composition of the disputed domain, supports a finding of bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the 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 term here, "mobile", may bear on assessment of the second and third elements, the Panel finds that the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark 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.

### **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 is not commonly known under the disputed domain name and has not been authorized to use the Complainant's marks. 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.

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 a domain name in bad faith.

In the present case, the Panel notes that the Complainant's trademark registrations predate the registration of the disputed domain name by many years, and that the Complainant has acquired a reputation in connection with the BDO mark.

The disputed domain name incorporates the BDO mark in its entirety, followed by the term "mobile". In light of the Complainant's mobility and mobile technology-related services under the BDO mark, this addition suggests that the Respondent had the Complainant and its trademark in mind when registering the disputed domain name.

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.

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, the Panel notes the reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. The Respondent's failure to participate in these proceedings further supports a finding of bad faith.

The Panel finds that the disputed domain name was registered and is being used 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 <bdomobile.cc> be transferred to the Complainant.

*/Halvor Manshaus/*

**Halvor Manshaus**

Sole Panelist

Date: July 1, 2026