

## **ADMINISTRATIVE PANEL DECISION**

Amdocs Development Ltd., Amdocs Software Systems Ltd. v. Jennifer Mom  
Case No. DCO2023-0027

### **1. The Parties**

The Complainants are Amdocs Development Ltd., Cyprus and Amdocs Software Systems Ltd., Ireland, represented by Liad Whatstein & Co., Israel.

The Respondent is Jennifer Mom, United States of America ("U.S.").

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

The disputed domain name <amdocs.co> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 13, 2023. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. Also on March 13, 2023, 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 (Withheld for Privacy ehf) and contact information in the Complaint.

The Center sent an email communication to the Complainant on March 14, 2023, 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 March 13, 2023.

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 March 16, 2023. In accordance with the Rules, paragraph 5, the due date for Response was April 5, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 6, 2023.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on April 14, 2023. 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 Complainants are Amdocs Development Ltd., a Cyprus Limited Liability Company, and Amdocs Software Systems Ltd., an Ireland Limited Liability Company; both are part of the Amdocs group of companies, a series of related multinational companies that develop and market software solutions in various fields.

The Complainants employ approximately 25,000 employees and operate in over 85 countries. In the 2019 fiscal year, the Amdocs group had revenue of USD 4.1 billion.

The Complainants are the owner of registrations for trademark AMDOCS as well as for other marks formed by the word “AmDocs” (the “AMDOCS Mark”), with the first Complainant being the owner of: International registration No. 1302596 for the AMDOCS Mark, registered on April 11, 2016, designating Switzerland, Israel, India, and Mexico; European Union registration No. 015184252 for AMDOCS, registered on July 13, 2016; as well as Swiss registration No. 581774 for AMDOCS, registered on January 8, 2009, among other registrations, as stated in the Annexes 4 and 5 to the Complaint.

The disputed domain name was registered on March 9, 2023, and does not resolve to an active website.

#### **5. Parties’ Contentions**

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

The disputed domain name is, indeed, confusingly similar to the AMDOCS trademark, as it is entirely incorporated in the disputed domain name.

The Complainants presented consistent evidence of ownership of the trademark AMDOCS in jurisdictions throughout the world, by submitting a substantial number of registrations for them, as well as comprehensive evidence of the use of the trademark in various jurisdictions since 2000.

There are no rights or legitimate interests held by the Respondent in respect of the disputed domain names. The Respondent is not commonly known by the disputed domain name, nor does the Respondent have any authorization from the Complainants to register the disputed domain name.

The Respondent does not use the disputed domain name for a *bona fide* purpose or legitimate noncommercial purpose. In fact, the Complainants submitted evidence that the Respondent is using the disputed domain name in connection with a fraudulent phishing scheme designed to lure people into believing that they are dealing with the Complainant’s group. Consequently, say the Complainants, it is likely that the Respondent registered the disputed domain name with full knowledge of the Complainants’ rights.

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

The Respondent did not reply to the Complainants’ contentions.

## 6. Discussion and Findings

The Policy, in its paragraph 4(a), determines that three elements must be present and duly proven by a complainant to obtain relief. These elements are:

- i. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect to the disputed domain name; and
- iii. the disputed domain name has been registered and is being used in bad faith.

### A. Identical or Confusingly Similar

The disputed domain name is, indeed, identical to the AMDOCS trademark, as it is entirely incorporated in the disputed domain name.

The Complainants have presented consistent evidence of ownership of the trademark AMDOCS in several jurisdictions throughout the world, by presenting a substantial number of registrations for them, as well as comprehensive evidence of the use of the trademarks.

Further, the Panel finds that disputed domain name is identical to the trademark belonging to the Complainants, since this mark is entirely reproduced in the disputed domain name registered by the Respondent, with no variation.

Hence, the Panel concludes that the first of the elements in the Policy has been satisfied by the Complainants in this dispute.

### B. Rights or Legitimate Interests

Given the clear evidence that the trademark AMDOCS is registered in the name of the Complainants and is widely known as identifying the Complainants' activities, and that the Complainants have not licensed this to the Respondent, the Panel finds that the Complainants have established *prima facie* case that the Respondent has no rights or legitimate interests in the disputed domain name.

In the absence of a Response, the Respondent has not rebutted such *prima facie* case. Furthermore, the Respondent does not appear to be commonly known by the disputed domain name.

It has also been shown that the disputed domain name has been used in connection with a scheme to lure consumers. The Complainant has submitted copy of an email evidencing that the Respondent has used the disputed domain name in connection with a fraudulent phishing scheme designed to lure consumers into falsely believing that they were dealing directly with the Complainants' group. Such use can never confer rights or legitimate interests upon a respondent. See [WIPO Overview 3.0](#), section 2.13.

Furthermore, the fact that the disputed domain name consists of the Complainants' trademark in its entirety carries a high risk of implied affiliation, potentially conveying to unsuspecting Internet users the false belief that any website related thereto would be associated or endorsed with the Complainants' official products and services. See [WIPO Overview 3.0](#), section 2.5.1.

The Panel, thus, finds for the Complainants under the second element of the Policy.

### C. Registered and Used in Bad Faith

Given the circumstances of this case, the facts outlined in sections A and B above can also evidence the Respondent's bad faith in the registration and use of the disputed domain name.

The Respondent intended to give an overall impression that the disputed domain name is associated with the Complainants, and the Panel accepts that the disputed domain name may be likely intended to capitalize on the fame and goodwill of the Complainants' trademark.

The current passive holding of the disputed domain name is also evidence of bad faith from the Respondent. Previous UDRP panels have found that the apparent lack of so-called active use of a domain name without any active attempt to sell or to contact the trademark holder does not prevent a finding of bad faith. See, e.g., *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); see also *Redcats S.A. and La Redoute S.A. v. Tumay Asena*, WIPO Case No. [D2001-0859](#); *DCI S.A. v. Link Commercial Corporation*, WIPO Case No. [D2000-1232](#).

In addition, the disputed domain name has been apparently used to represent falsely that the Respondent is either authorized by the Complainants to make the offers, or that the Respondent is part of the Complainants' group. The Respondent has acted in bad faith by registering and using the disputed domain name allegedly as part of a phishing scam to impersonate the Complainants, as seen in Annex 6 to the Complaint.

All the points above lead to the conclusion by this Panel that the Respondent was fully aware of the Complainants when registering the disputed domain name and that the Respondent registered and is using the disputed domain name in bad faith.

The Panel finds that the Complainants have also proved 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, <amdocs.co>, be transferred to the Complainants.

/Alvaro Loureiro Oliveira/

**Alvaro Loureiro Oliveira**

Sole Panelist

Date: May 1, 2023