

## **ADMINISTRATIVE PANEL DECISION**

Accenture Global Services Limited v. Host Master / 1337 Services LLC1337  
Services LLC

Case No. D2023-0887

### **1. The Parties**

The Complainant is Accenture Global Services Limited, Ireland, represented by McDermott Will & Emery LLP, United States of America (“United States”).

The Respondent is Host Master / 1337 Services LLC1337 Services LLC, Saint Kitts and Nevis.

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

The disputed domain name <ss0-accenture.com> is registered with Tucows Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 28, 2023. On February 28, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 28, 2023, 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 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 8, 2023. In accordance with the Rules, paragraph 5, the due date for Response was March 28, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 3, 2023.

The Center appointed Delia-Mihaela Belciu as the sole panelist in this matter on April 19, 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 Complainant is an international business that provides a broad range of services and solutions in strategy, consulting, digital, technology, outsourcing and operations, software solutions under the name ACCENTURE.

The Complainant has a large portfolio of trademarks consisting of ACCENTURE, in many countries and territories worldwide, including the following:

- United States of America Trademark for ACCENTURE No. 3091811, registered on May 16, 2006, for goods and services in classes 9, 16, 35, 36, 37, 41, and 42;
- United States of America Trademark for ACCENTURE No. 2665373, registered on December 24, 2002, for goods and services in classes 9, 16, 35, 36, 37, 41, and 42;
- United States of America Trademark for ACCENTURE No. 3340780, registered on November 20, 2007, for goods in classes 6, 8, 9, 14, 16, 18, 20, 21, 24, and 28;
- United States of America Trademark for ACCENTURE No. 2884125, registered on September 14, 2004, for goods in classes 18, 25, and 28;
- United States of America Trademark for ACCENTURE No. 3862419, registered on October 19, 2010, for services in classes 35 and 36.

The Complainant owns and operates the website at “www.accenture.com”, the domain name <accenture.com> being registered on August 30, 2000.

Several brand consulting companies in the industry have recognized the ACCENTURE mark as a leading global brand as per the evidence filed by the Complainant.

The disputed domain name was registered by the Respondent on February 5, 2023, and it does not resolve to an active website.

#### **5. Parties' Contentions**

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

The Complainant contends that the disputed domain name is confusingly similar to its famous and distinctive ACCENTURE trademark. The Complainant further asserts that the disputed domain name is comprised of the ACCENTURE trademark paired with a leading hyphen and the letters “SSO”, which, in the Complainant's view, “SSO” is intended to refer to the common acronym for Single Sign-On, which is an authentication method that enables users to securely authenticate with multiple applications and websites by using just one set of credentials.

The Complainant asserts that the disputed domain name was registered over 20 years after the Complainant first registered its ACCENTURE trademark in the United States.

The Complainant further contends that the ACCENTURE mark consists of a coined term and, as such, should be afforded a wide scope of protection, particularly in view of the ubiquitous nature of the brand (considering the heavy advertising presence worldwide).

In the Complainant's view, adding a descriptive term or acronym to a trademark in a domain name fails to negate confusing similarity and that the Respondent's addition of a hyphen and the designation “SSO” to the famous ACCENTURE trademark in the disputed domain name does nothing to reduce its confusing similarity

with Complainant's ACCENTURE marks. In the Complainant's view, Internet users are very likely to be confused as to whether an association exists between the disputed domain name and the Complainant.

For these reasons, the Complainant considers that the disputed domain name is confusingly similar to its ACCENTURE marks.

The Complainant further contends that the Respondent does not have any rights or legitimate interests in the disputed domain name for a number of reasons.

First, the Complainant asserts that the ACCENTURE mark is not a generic or descriptive term in which the Respondent might have an interest. In the Complainant's view, its ACCENTURE marks are globally famous and have acquired secondary meaning through the Complainant's substantial, continuous, and exclusive use of the marks in connection with the Complainant's goods and services.

Secondly, the Complainant asserts that the Respondent is neither affiliated with, nor has it been licensed or permitted to use the Complainant's ACCENTURE marks or any domain names incorporating the ACCENTURE marks.

Thirdly, the Complainant contends that Whois information for the disputed domain name is shielded by privacy proxy services, but according to WIPO's Notice of Change dated February 23, 2023, the Respondent was identified as Host Master / 1337 Services LLC1337 Services LLC. Therefore, in the Complainant's view, the Respondent is not commonly known by the disputed domain name, nor was it known as such prior to the dates on which the Respondent registered the disputed domain name to trade on the value of the Complainant's famous trademark. Thus, the Complainant asserts that the Respondent has chosen to use the Complainant's famous ACCENTURE trademark in the disputed domain name to create a direct affiliation with the Complainant and its business, and to cause confusion amongst the Complainant's employees or clients.

Fourthly, the Complainant asserts that the Respondent is not using the disputed domain name for any valid purpose at this time as the disputed domain name results in a security warning stating "[d]eceptive site ahead; [a]ttackers on <SSO-Accenture.com> which may trick you into doing something dangerous like installing software or revealing your personal information (for example, passwords, phone numbers, or credit cards)".

In the Complainant's view, the Respondent's use of the disputed domain name to redirect users to a malicious website does not qualify as a *bona fide* offering of goods and services.

Fifthly, the Complainant asserts that the Respondent's failure to use the disputed domain name to provide a *bona fide* offering of goods and services confirms that it does not have a right or legitimate interest in the disputed domain name, particularly since the Complainant has proven its rights in the marks at issue.

In summary, the Complainant asserts that the Respondent is not making a legitimate, noncommercial or fair use of the disputed domain name, and in the Complainant's view, the Respondent has chosen the disputed domain name to trade off the reputation and goodwill associated with the Complainant's ACCENTURE marks, to cause confusion amongst Internet users and the Complainant's customers, to benefit from misdirected Internet traffic, to use the disputed domain name for malicious purposes, and to prevent the Complainant from owning the disputed domain name.

For these reasons, the Complainant considers that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith.

To this end, the Complainant argues that the Respondent had constructive notice that the ACCENTURE mark was a registered trademark in the United States and many other jurisdictions worldwide.

Further, the Complainant contends that given the Complainant's worldwide reputation and the ubiquitous presence of the ACCENTURE marks on the Internet, the Respondent was or should have been aware of the ACCENTURE marks long prior to registering the disputed domain name.

In the Complainant's view, the Respondent's use of the disputed domain name to redirect Internet users to malicious websites for the distribution of malware or other security risks is clear evidence of bad faith use and registration of a domain name.

In addition, the Complainant asserts that the Respondent is not using the disputed domain name for any legitimate purpose.

Further, the Complainant asserts that such has demonstrated that the ACCENTURE trademark is distinctive and well known throughout the world, and that Respondent's identity is concealed by redacted Whois information. In view of the fame of the ACCENTURE trademark, it is implausible, in the Complainant's view, that the Respondent registered the disputed domain name independently for its own purposes.

Therefore, the Complainant contends that given the well-known status of its ACCENTURE marks and its ownership of the <accenture.com> domain name, there is no reason for the Respondent to have registered the disputed domain name other than to trade off, of the reputation and goodwill of the Complainant's ACCENTURE marks.

For all these reasons, the Complainant considers that the disputed domain name was registered and is being used in bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

In order for the Complainant to succeed, such must prove, according to paragraph 4(a) of the Policy, that:

- (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 with respect to the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. Thus, the Panel will deal with each of the requirements in turn.

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

According to paragraph 4(a)(i) of the Policy, the Complainant has to show that the disputed domain name is (i) identical or confusingly similar to a trademark or service mark, (ii) in which the Complainant has rights.

With respect to the requirement of having rights pursuant to paragraph 4(a)(i) of the Policy, the Complainant owns several ACCENTURE registered trademarks, in several jurisdictions. Consequently, the Panel finds that this requirement is fulfilled.

With regard to the assessment of identity or confusing similarity of the disputed domain name with the ACCENTURE trademarks, it is generally accepted that this involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. In cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing (see section 1.7 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#))).

The Panel finds that the disputed domain name is confusingly similar to the ACCENTURE trademarks as such incorporates the ACCENTURE mark in its entirety and the addition of the leading hyphen and of the letters “SSO”, which (considering the evidence filed by the Complainant, could refer to the acronym for “Single Sign-On”, which is an authentication method that enables users to securely authenticate with multiple applications and websites by using just one set of credentials) does not avoid a finding of confusing similarity. The ACCENTURE mark remains clearly recognizable within the disputed domain name (see section 1.8 of the [WIPO Overview 3.0](#)).

Previous UDRP panels have held that such additions do not avoid confusing similarity (see *Inter-IKEA Systems B. V. v. Evezon Co. Ltd.*, WIPO Case No. [D2000-0437](#); *The British Broadcasting Corporation v. Jaime Renteria*, WIPO Case No. [D2000-0050](#); *Volvo Trademark Holding AB v. SC-RAD Inc.*, WIPO Case No. [D2003-0601](#)).

In what concerns the addition of the generic Top-Level Domain “.com”, this is not to be taken into consideration when examining the confusing similarity between the Complainant’s trademarks and the disputed domain name, as such is viewed as a standard registration requirement and is disregarded under the first element confusing similarity test (see section 1.11 of the [WIPO Overview 3.0](#)).

The Panel therefore finds that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

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

The Complainant is required to make out a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such *prima facie* case is made out, the burden of production shifts to the Respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to come forward with such appropriate allegations or evidence, the Complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the Policy (see section 2.1 of the [WIPO Overview 3.0](#)).

In this case, the Complainant has put forward a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name, which has not been rebutted by the Respondent, as the Respondent has not submitted any response.

Thus, based on the available evidence, the Respondent does not appear to be known by the disputed domain name. The Complainant has never licensed or permitted the Respondent to use its ACCENTURE marks or any domain names incorporating the ACCENTURE marks, and also, the Respondent is not affiliated with the Complainant.

Moreover, based on the evidence filed by the Complainant, the disputed domain name resolves to a website which has a security warning.

Furthermore, the disputed domain name comprises the Complainant’s ACCENTURE mark in its entirety together with the addition of a leading hyphen and the letters “SSO”, which, considering the evidence filed by the Complainant, could refer to the acronym for “Single Sign-On”, which is an authentication method that enables users to securely authenticate with multiple applications and websites by using just one set of credentials, which might lead to confusion amongst Internet users and Complainant’s customers.

The above does not amount to a *bona fide* offering of goods or services, or to a legitimate noncommercial or fair use of the disputed domain name.

The Panel therefore finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

Under paragraph 4(a)(iii) of the Policy, a complainant must show that the domain name has been registered and is being used in bad faith.

In this case, the Complainant's rights to the ACCENTURE trademark predate the registration date of the disputed domain name.

The ACCENTURE trademark is registered in several jurisdictions around the world and enjoys of a well-known character, recognized by earlier UDRP panels as well (see *Accenture Global Services Limited v. ICS INC. / PrivacyProtect.org*, WIPO Case No. [D2013-2098](#)).

In light of the well-known character of the ACCENTURE trademarks, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the disputed domain name without knowledge of the Complainant's ACCENTURE mark, which supports a finding of bad faith registration (see sections 3.2.2 of the [WIPO Overview 3.0](#)).

The Respondent's incorporation into the disputed domain name of the Complainant's well-known ACCENTURE mark in its entirety, with the addition of a leading hyphen and of the letters "SSO", which, considering the evidence filed by the Complainant, could refer to the acronym for "Single Sign-On", which is an authentication method that enables users to securely authenticate with multiple applications and websites by using just one set of credentials, the failure of the Respondent to submit a response in this file, as well the fact that the website corresponding to the disputed domain name redirects Internet users to a website that might raise security risks is clear evidence of bad faith use and registration of a domain name, lead to a finding of bad faith registration and use.

For all these reasons, the Panel finds that the disputed domain name has been registered and is being used in bad faith and that the third element of paragraph 4(a)(iii) of the Policy is fulfilled.

### **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, <ssso-accenture.com>, be transferred to the Complainant.

*/Delia-Mihaela Belciu/*

**Delia-Mihaela Belciu**

Sole Panelist

Date: May 3, 2023