

## **ADMINISTRATIVE PANEL DECISION**

Bend Law Group, PC v. Domain Admin, E-Promote  
Case No. D2024-3673

### **1. The Parties**

Complainant is Bend Law Group, PC, United States of America (“United States”), self-represented.

Respondent is Domain Admin, E-Promote, United States.

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

The disputed domain name <bendlawgroup.com> (the “Domain Name”) is registered with Name.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 10, 2024. On September 11, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 12, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (NameBrightPrivacy.com) and contact information in the Complaint. The Center sent an email to Complainant on September 12, 2024, the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint September 13, 2024.

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 Respondent of the Complaint, and the proceedings commenced on September 16, 2024. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2024. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on October 7, 2024.

The Center appointed Robert A. Badgley as the sole panelist in this matter on October 10, 2024. 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**

Complainant is a law firm based in San Francisco, California. Complainant alleges as follows:

“Complainant, Bend Law Group, PC has been in operation under the trade name Bend Law Group for over 10 years with widespread recognition, clients nationwide, and a solid reputation in the legal community. Bend Law Group, PC has also had media mentions and publications in national publications including The Washington Post, The Huffington Post, and Forbes, to name a few.”

Annexed to the Complaint are screenshots to corroborate the foregoing allegations.

Complainant operates a commercial website at the domain name <bendlawoffice.com>. Complainant has used BEND LAW GROUP prominently on that website to identify its firm and services since 2012.

The Domain Name was registered on November 1, 2023. The Domain Name resolves to a landing page with apparent hyperlinks for “Legal Lawyer Attorney”, “Attorneys Lawyers”, and “Legal Attorneys”. The page indicates that the Domain Name is for sale.

According to Complainant:

“[Respondent] acquired the domain name after it expired--it was previously owned by a law firm in Bend, Oregon, USA. Registrant then offered the domain name for sale to [Complainant] Bend Law Group, PC, within two months of Registrant’s purchasing of the domain name, indicating a lack of intention to use the domain name for any legitimate business activities.”

Annexed to the Complaint is correspondence between Complainant and a domain name broker indicating that Respondent would not accept an offer of USD 1,500, and that the minimum price for the Domain Name was USD 2,500.

#### **5. Parties’ Contentions**

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

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

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

Respondent did not reply to Complainant’s contentions.

#### **6. Discussion and Findings**

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

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

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

The Panel finds that Complainant has rights in the unregistered mark BEND LAW GROUP through use and consumer recognition demonstrated in the record. The Panel also finds that the Domain Name is identical to that mark.

Complainant has established Policy paragraph 4(a)(i).

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

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes that Respondent lacks rights or legitimate interests in connection with the Domain Name. Respondent has not come forward to deny any of the plausible allegations or dispute any of the evidence presented by Complainant. As far as the undisputed record shows, Respondent acquired the Domain Name solely to target Complainant and sell the Domain Name to Complainant at a large markup.

Such conduct does not give rise to rights or legitimate interests under the Policy.

Complainant has established Policy paragraph 4(a)(ii).

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

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation", are evidence of the registration and use of the Domain Name in "bad faith":

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

The Panel concludes that Respondent registered and used the Domain Name in bad faith under the Policy. The Panel incorporates its discussion above in the “Factual Background” and “Rights or Legitimate Interests” sections. On this record, it is clear that Respondent’s conduct runs afoul of the above-quoted Policy paragraph 4(b)(i).

Complainant has established Policy paragraph 4(a)(iii).

## **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 Name <bendlawgroup.com> be transferred to Complainant.

*/Robert A. Badgley/*

**Robert A. Badgley**

Sole Panelist

Date: October 23, 2024