

ADMINISTRATIVE PANEL DECISION

Bumble Holding Limited v. Miller Miller, Bumble Case No. D2024-4218

1. The Parties

The Complainant is Bumble Holding Limited, United Kingdom (“UK”), represented by Pinsent Masons LLP, UK.

The Respondent is Miller Miller, Bumble, United States of America (“US”).

2. The Domain Name and Registrar

The disputed domain name <bumblejob.store> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 14, 2024. On October 14, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 2024, 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 October 15, 2024, 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 October 17, 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 the Respondent of the Complaint, and the proceedings commenced on October 18, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 7, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 8, 2024.

The Center appointed Mehmet Polat Kalafatoğlu as the sole panelist in this matter on November 13, 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

The Complainant, Bumble Holding Limited, which trades as BUMBLE, is a corporation located in the UK. It was established in 2014 and provides a location-based social networking and dating service via its mobile application.

The record shows that the Complainant owns several registered UK trademarks consisting of the word BUMBLE. These include, among others, UK Registration Nos. UK00909121039 (registered on November 2, 2010, in classes 29, 30, 32, and 35), UK00003072396 (registered on January 16, 2015, in classes 9, 38, 42, and 45), and UK00913335237 (registered on February 23, 2015, in classes 9, 25, 35, 38, 41, 42, and 45).

The Complainant promotes its goods and services through the websites located at the domain names <bumble.com> and <bumble.shop>, and its various social media accounts. The record also shows that the Complainant has a strong presence on social media.

The disputed domain name was registered on October 9, 2024. At the time of this decision, the disputed domain name does not resolve to an active website. However, the record shows that the disputed domain name was used to set up an email address (i.e., “[...]@bumblejob.store”). It appears that the Respondent has used the disputed domain name to send email communications on October 10, 2024, by impersonating one of the Complainant’s employees to invite a prospective employee to an online interview.

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 Complainant’s mobile application is available around the world and has had over 100 million users worldwide; all of its registered trademarks predate the registration of the disputed domain name; and it is heavily active on social media.

The Complainant submits that the disputed domain name is confusingly similar with the Complainant’s trademark as it fully incorporates its distinctive BUMBLE trademark, with the minor addition of the word “job” and the generic Top-Level Domain “.store”.

The Complainant also argues that the Respondent has no rights or legitimate interests with respect to the disputed domain name. In this respect, among other contentions, the Complainant claims that the Respondent has no rights in relation to the BUMBLE brands or the registered BUMBLE trademarks; the Respondent registered the disputed domain name to attract Internet users who were searching for the Complainant and to mislead its consumers; the Respondent registered the disputed domain name in the full knowledge of the Complainant’s activities and reputation; the website at the disputed domain name does not accurately disclose the Respondent’s relationship (or lack thereof) with the Complainant; the disputed domain name is not being used in relation to a bona fide offering of goods and services; and the Respondent is not making legitimate or fair use of the disputed domain name.

Finally, the Complainant asserts that the disputed domain name was registered and is being used in bad faith. In this regard, the Complainant, inter alia, submits that considering the widespread use and reputation of the Complainant’s trademarks, the Respondent must have been aware that in registering the disputed domain name, it was misappropriating the Complainant’s valuable intellectual property; the disputed domain name has been registered in bad faith for illegitimate purposes, namely to infringe its registered trademarks, to use the website located at the disputed domain name as a means to deceive consumers, and to facilitate the creation of email addresses which could be used for illegitimate or fraudulent purposes. Especially, the Complainant asserts that it became aware of the disputed domain name as various emails have been sent using the disputed domain name to either its employees or to prospective employees in an attempt to impersonate the Complainant’s Human Resources (“HR”) department. The Complainant notes that these

emails were signed off with the name of one of the Complainant's current directors. The Complainant confirms that its director is not using the disputed domain name and is being impersonated.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "job", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 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 3.0](#), 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 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.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation or passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. In the present case, the Complainant sufficiently proved that the disputed domain name was used by the Respondent to set up an email address for sending deceptive emails to a prospective employee by impersonating one of the Complainant's employees.

Accordingly, 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.

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 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Complainant's registered UK trademarks predate the registration of the disputed domain name. Considering also these trademarks' renown, as evidenced by the Complainant, and the use of the disputed domain name made by the Respondent, the Panel finds that it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's BUMBLE trademark. [WIPO Overview 3.0](#), section 3.2.2.

Panels have held that the use of a domain name for illegal activity, such as impersonation, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. In this regard, the Complainant has sufficiently proved that the Respondent was using the disputed domain name for an illegal activity. The record shows that the Respondent set up an email address associated with the disputed domain name and sent deceptive emails to a prospective employee. In these email communications, the Respondent impersonated the Complainant's HR manager.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. The absence of any response from the Respondent further supports this conclusion.

Based on the available record, 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 <bumblejob.store> be transferred to the Complainant.

/Mehmet Polat Kalafatoglu/

Mehmet Polat Kalafatoglu

Sole Panelist

Date: November 27, 2024