

## ADMINISTRATIVE PANEL DECISION

Bumble Holding Limited v. Tyler Derden, Fijiswot  
Case No. D2024-4436

### 1. The Parties

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

The Respondent is Tyler Derden, Fijiswot, United States of America.

### 2. The Domain Name and Registrar

The disputed domain name <bumble-team.com> 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 29, 2024. On October 30, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 30, 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 (Unknown; REDACTED FOR PRIVACY, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 31, 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 amendment to the Complaint on November 5, 2024.

The Center verified that the Complaint together with the amendment to 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 November 8, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 28, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 2, 2024.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on December 6, 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 following facts are undisputed.

The Complainant, 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 Complainant's application is currently available around the world. The Complainant became a public company listed on NASDAQ in 2021.

The Complainant's trademark BUMBLE, is protected as a registered trademark in a multitude of countries worldwide, e.g. the UK trademark registration No. UK00913335237 for the word mark BUMBLE with a registration date February 23, 2015, registered for goods and services in classes 9, 25, 35, 38, 41, 42, and 45.

The Complainant's main website can be found at "www.bumble.com".

All of the Complainant's trademarks were registered before the disputed domain name, which was registered on July 22, 2024.

The disputed domain name resolves to an inactive 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 the following.

The Complainant contends that the disputed domain name is confusingly similar with the Complainant's trademarks. The disputed domain name wholly incorporates the Complainant's trademarks at the start of it, with a minor addition of the word "team" at the end. The Complainant asserts that incorporating the term "team" within the disputed domain name is an attempt to falsely imply an association with the Complainant's internal team. Additionally, the disputed domain name uses the same Top-Level Domain as the Complainant.

Furthermore, the Complainant contends that the Respondent has no rights in relation to the Complainant's trademarks. The Complainant considers it reasonable to conclude that the Respondent registered the disputed domain name to attract internet users who are searching for the Complainant. Additionally, the Complainant contends that it is likely that consumers would be misled into thinking that the Respondent is, or is connected to, the Complainant. Therefore, the Respondent registered the disputed domain name to take advantage of the Complainant's goodwill and reputation for the registered trademarks. The disputed domain name is not being used in relation to a bona fide offering of goods and services nor is the Respondent making legitimate or fair use of the disputed domain name.

Also, the Complainant considers it is reasonable to conclude that the disputed domain name has been registered in bad faith for illegitimate purposes, to deceive the public into believing that the goods and services offered by the Respondent are connected to the Complainant, to use the website hosted 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. This even occurred as the Complainant became aware of phishing emails being sent from email addresses connected to the disputed domain name. This is also evidenced in a third-party news article detailing the phishing fraud.

Furthermore, bad faith can also be found when no website appears at the disputed domain name. Additionally, in the present case the Respondent has concealed their name.

## **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 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 3.0](#), section 1.7.

Although the addition of other terms, here, the word "team", 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 mark 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 phishing, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 Respondent is intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's Trademark

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, including the use of the disputed domain name to send out fraudulent e-mails, the Panel 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.

Panels have held that the use of a domain name for illegal activity, here phishing, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. 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 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 <bumble-team.com> be transferred to the Complainant.

*/Willm J. H. Leppink/*

**Willm J. H. Leppink**

Sole Panelist

Date: December 20, 2024