

## **ADMINISTRATIVE PANEL DECISION**

Bumble Holding Limited v. Flores Lopez, Retail store cloth  
Case No. D2024-4460

### **1. The Parties**

The Complainant is Bumble Holding Limited, United Kingdom, represented by Pinsent Masons LLP, United Kingdom.

The Respondent is Flores Lopez, Retail store cloth, United States of America.

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

The disputed domain name <bumbleinc.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 30, 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) 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 7, 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 11, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 1, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 3, 2024.

The Center appointed Petra Pecar as the sole panelist in this matter on December 9, 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 is Bumble Holding Limited, operating under the brand name BUMBLE. Established in 2014 by Whitney Wolfe Herd, the Complainant provides a leading location-based social networking and dating application that facilitates communication between users. With a global presence, the app has garnered over 100 million users worldwide and consistently ranks among the top 10 lifestyle and top 5 grossing apps on both the App Store and Google Play. In 2021, the Complainant became a publicly traded company on NASDAQ. The Complainant's corporate structure includes various BUMBLE brands, emphasizing its prominence in the international tech industry.

The Complainant owns multiple registered United Kingdom trademarks incorporating the term "Bumble". These include, among others, United Kingdom Registration No. UK00909121039, registered on November 2, 2010, covering Classes 29, 30, 32, and 35; United Kingdom Registration No. UK00003072396, registered on January 16, 2015, covering Classes 9, 38, 42, and 45; and United Kingdom Registration No. UK00913335237, registered on February 23, 2015, covering Classes 9, 25, 35, 38, 41, 42, and 45.

The Complainant operates several domain names, including <bumble.com>, registered since 1997, <bumble.shop>, registered since February 2019, and sub-site "team.bumble.com", all of which are integral to its online presence and brand identity.

The disputed domain name was registered on October 9, 2024. According to the evidence provided by the Complainant, the Respondent has used an email address associated with the disputed domain name to send fraudulent emails impersonating the Complainant's Human Resources department, purportedly to offer job opportunities.. Currently, the disputed domain name resolves to an inactive website.

The Respondent is located in United States of America.

#### **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 it has established substantial goodwill and reputation in the BUMBLE marks through continuous use and extensive advertising across various mediums. With revenues exceeding USD1 billion in 2023/2024, the Complainant's business operates on a significant global scale, supported by its longstanding domain registrations and social media presence, including large followings on platforms such as Instagram, LinkedIn, and TikTok.

The Complainant contends that the disputed domain name <bumbleinc.store> is confusingly similar to its registered marks. The inclusion of the term "inc" does not negate the visual, phonetic, or conceptual similarity, nor does the use of the generic Top-Level Domain ("gTLD") ".store" mitigate the confusion. The Complainant asserts that the Respondent's use of the disputed domain name is likely intended to create a false association with the Complainant's business, thereby misleading the public and diverting traffic.

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has no connection to the Complainant or its marks and likely registered the disputed domain name to mislead users into believing an affiliation with the Complainant, exploiting its reputation.

The disputed domain name is not used for a bona fide offering of goods or services, and the Respondent has not disclosed any relationship with the Complainant, further misleading consumers.

The Complainant submits that the disputed domain name was registered and used in bad faith, unlawfully misappropriating its intellectual property and creating a false association with its brand. The Respondent has used the disputed domain name to send fraudulent emails impersonating the Complainant's Human Resources department, conducting fake interviews, and soliciting personal information under false pretenses. Furthermore, the Respondent has concealed their identity, compounding the bad faith nature of the registration. These actions demonstrate an intent to deceive, disrupt the Complainant's business, and harm its reputation.

## **B. Respondent**

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

## **6. Discussion and Findings**

Even if the Respondent did not file a Response to the Complainants' contentions, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant.

"A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable", as indicated in paragraph 15(a) of the Rules.

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

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

### **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 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 term "inc", which indicates a corporate form, 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.

Furthermore, it is well accepted practice by UDRP panels that a gTLD, such as “.store”, is typically ignored when assessing whether a domain name is identical or confusingly similar to a trademark (see section 1.11.1 of the [WIPO Overview 3.0](#)). For that reason, the Panel accepts not to take gTLD “.store” when assessing confusing similarity of the disputed domain name.

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.

The disputed domain name unlawfully misappropriates the Complainant’s trademark and creates a false association with its BUMBLE brand. The Respondent has used the disputed domain name to send fraudulent emails impersonating the Complainant’s Human Resources department, conducting fake interviews, and soliciting personal information under false pretenses. Furthermore, the Respondent has concealed his identity, confirming the lack of any rights or legitimate interests in respect of the disputed domain name.

Panels have consistently held that the use of a domain name for illegitimate activities, such as impersonation or passing off as alleged in this case, cannot confer rights or legitimate interests on a respondent. See [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 Complainant’s registered United Kingdom marks predate the registration of the disputed domain name by at least 14 years. The long-standing global presence and use of these marks make it inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant’s BUMBLE mark. This conduct aligns with the principles established in [WIPO Overview 3.0](#), section 3.2.2, which supports a finding of bad faith registration under such circumstances.

The Complainant has further demonstrated that the Respondent used the disputed domain name for fraudulent activities, including impersonating the Complainant’s Human Resources department, conducting

fictitious interviews, and soliciting personal information under false pretenses. The Respondent's deliberate concealment of identity exacerbates the bad faith nature of the registration and use of the disputed domain name. These actions clearly reflect an intent to deceive, disrupt the Complainant's business operations, and damage its reputation. [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 <bumbleinc.store> be transferred to the Complainant.

*/Petra Pecar/*

**Petra Pecar**

Sole Panelist

Date: December 23, 2024