

## **ADMINISTRATIVE PANEL DECISION**

### **Infosys Limited v. Carolina Rodrigues, Fundacion Comercio Electronico Case No. D2023-5127**

#### **1. The Parties**

The Complainant is Infosys Limited, India, represented by K&S Partners, India.

The Respondent is Carolina Rodrigues, Fundacion Comercio Electronico, Panama.

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

The disputed domain name <infosysspringboard.com> is registered with GoDaddy.com, LLC (the "Registrar").

#### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 8, 2023. On December 8, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 11, 2023, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 13, 2023, 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 December 15, 2023.

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 December 22, 2023. In accordance with the Rules, paragraph 5, the due date for Response was January 11, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 17, 2024.

The Center appointed Adam Samuel as the sole panelist in this matter on January 30, 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 an Indian information technology consulting and services company created in 1981. It owns, among others, a United States of America trademark, registration number 1809733, registered on December 7, 1993, for the name INFOSYS and a United States of America Trademark, registration number 6846728, registered on September 13, 2022, for the name INFOSYS SPRINGBOARD.

Under its trademark INFOSYS SPRINGBOARD, the Complainant provides digital learning platforms for people and communities.

The Complainant registered the domain name <infosys.com> on July 17, 1992, through which it promotes its services.

The disputed domain name was registered on July 10, 2023. It currently resolves to a parking page which includes pay-per-click links, related to employment management software.

#### **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 disputed domain name is identical to the Complainant's well-known mark INFOSYS SPRINGBOARD. This incorporates the Complainant's corporate name and trademark INFOSYS.

INFOSYS is an invented word. The Complainant has no relationship with the Respondent and has never authorized the Respondent to use the disputed domain name or any other domain name.

The Respondent chose to register the disputed domain name in order to create a direct association with the Complainant. The Respondent is intentionally attempting to divert and attract Internet users into believing that the disputed domain name belongs to or is endorsed by the Complainant or is authorized by the Complainant.

The Respondent does not have any trademarks or trade names corresponding to the disputed domain name. Nor is there any other indication that the Respondent has been using the term INFOSYS SPRINGBOARD or INFOSYS in such a way as to give the Respondent any rights or legitimate interests in the disputed domain name.

The Complainant has wide global recognition. It is unimaginable that the Respondent is not aware of the Complainant. The disputed domain name was registered more than four decades after the Complainant started its business.

The respondent has registered and used other domain names in bad faith as is reflected in other UDRP panels decisions.

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

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

## **6. Discussion and Findings**

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied:

- (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 in bad faith.

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

The disputed domain name consists of the Complainant's trademark INFOSYS SPRINGBOARD and the generic Top-Level Domain ("gTLD") ".com".

The gTLD is irrelevant here as it is a standard registration requirement. See section 1.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

Accordingly, the disputed domain name is identical to the Complainant's mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

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

The Respondent is not called "Infosys", "Infosys Springboard" or anything similar. There is no evidence that the Complainant has ever authorised the Respondent to use its trademarks. The Respondent does not appear to have used the disputed domain name for any legitimate purpose.

For these reasons, the Panel concludes that the Complainant has met this element. See section 2.1 of the [WIPO Overview 3.0](#).

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

The disputed domain name consists of the Complainant's trademark exactly and the irrelevant-for-this-purpose gTLD ".com". The word INFOSYS has no meaning except as the predominant part of the Complainant's name. The Respondent has never explained why it registered the disputed domain name or refuted the Complainant's argument that it did so in order to benefit from the Complainant's trademark or name or disrupt the Complainant's business in some way.

In the circumstances, the Panel concludes that the Respondent registered the disputed domain name knowing of the Complainant's name and trademark rights. The Respondent, more likely than not, did so either to disrupt the Complainant's business or for the purpose of selling the disputed domain name to the Complainant for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name. Under paragraph 4(b)(i), (iii) and (iv) of the Policy, this constitutes evidence of registration and use in bad faith.

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 <infosysspringboard.com> be transferred to the Complainant.

*/Adam Samuel/*

**Adam Samuel**

Sole Panelist

Date: February 13, 2024