

ADMINISTRATIVE PANEL DECISION

Kia America, Inc. v. Mohammad Reza Georgian doz
Case No. D2025-3809

1. The Parties

The Complainant is Kia America, Inc., United States of America (“United States”), represented by Buchalter, APC, United States.

The Respondent is Mohammad Reza Georgian doz, Hungary.

2. The Domain Name and Registrar

The disputed domain name <kiahyunda.com> is registered with CSL Computer Service Langenbach GmbH dba Joker.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 18, 2025. On September 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 22, 2025, 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 (none) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 23, 2025, 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 September 28, 2025.

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 September 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 20, 2025.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on October 22, 2025. 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 a United States automotive company and is the distributor of Kia vehicles. The Complainant and Kia Corporation own trademark registrations for the KIA-formative marks in numerous jurisdictions. Specifically, the Complainant owns the United States Trademark Registration No. 6980563 for KIA ACCESS, registered on February 14, 2023. The Complainant is an exclusive United States licensee of numerous marks owned by Kia Corporation, including, the United States Trademark Registration No. 1723608 for KIA, registered on October 13, 1992.

Hyundai Motor Group is the parent of Kia Corporation and a famous automotive company.

The disputed domain name was registered on November 8, 2024, and resolves currently to a fatal error page. At the time of filing of the Complaint, the disputed domain name resolved to a website, which contained the messages “Kia and Hyundai store” and “Site will be available soon”.

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 confusingly similar to the Complainant's trademark. The disputed domain name contains the Complainant's trademark KIA in its entirety together with the word “hyunda”, which is a misspelling of the trademark HYUNDAI, owned by Hyundai Motor Group and is a related mark.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant did not authorize the Respondent to use its trademark. The Respondent is not affiliated with the Complainant nor is a licensee. The Respondent is not known by the disputed domain name. There is no bona fide offering of goods or services as the disputed domain name is passively held.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. This is a case of passive holding of a domain name with a typographical variant of the Complainant's trademark.

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 KIA mark is reproduced within the disputed domain name. The Panel finds that the disputed domain name is confusingly similar to the KIA mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here “hyunda”, 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.

At the time of filing of the Complaint, the disputed domain name resolved to a website which contained the message “Kia and Hyundai store” and displayed the same in the copyright notice. While the website also contained a “will be available soon” message, the Respondent has not provided any explanation as to its intended use of the disputed domain name. The Panel finds that the composition of the disputed domain name coupled with its use reflect the Respondent’s ultimate intent to confuse unsuspecting Internet users into believing that the disputed domain name is operated by the Complainant.

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.

At the time of filing the Complaint, the disputed domain name resolved to a website which contained the message “Kia and Hyundai store” and displayed the same in the copyright notice. The Respondent was clearly aware of the Complainant’s trademark.

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.

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 <kiahunda.com> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: October 27, 2025