

ADMINISTRATIVE PANEL DECISION

Telefonaktiebolaget LM Ericsson v. James Nicole
Case No. D2025-5204

1. The Parties

Complainant is Telefonaktiebolaget LM Ericsson, Sweden, represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is James Nicole, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <ericsson.com> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 12, 2025. On December 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 15, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on December 16, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on December 18, 2025.

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 Respondent of the Complaint, and the proceedings commenced on December 19, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was January 8, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on January 9, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on January 16, 2026. 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

Complainant is one of the global leaders in telecommunications and networking technology headquartered in Sweden. Complainant provides communications infrastructure, networking equipment, and related services and software under the ERICSSON trademark to customers worldwide. Complainant owns numerous trademark registrations for the mark ERICSSON in jurisdictions around the world, including but not limited to:

- United States of America (“United States” or “U.S.”) Trademark Registration No. 1,313,196 for ERICSSON, registered on January 8, 1985, in International Class 9;
- European Union Trade Mark Registration No. 000107003 for ERICSSON, registered on March 23, 1999, in International Classes 9, 11, 16, 35, 36, 37, 38, 39, 41, and 42; and
- Australian Trademark Registration No. 322638 for ERICSSON, registered on October 3, 1978, in International Class 9.

Collectively, these registered trademark rights are referred to as the “ERICSSON Mark”.

Complainant sent cease-and-desist letters on October 16, October 23, and October 30, 2025, no response was received.

The Domain Name <eriscson.com> was registered on September 2, 2025. The website at the Domain Name is a parked page provided by the Registrar indicating “Whois verification is pending”, and Respondent has made no other active use of the Domain Name for a website or other online service.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

With respect to the first element of the Policy, Complainant asserts rights in the ERICSSON Mark by virtue of its numerous trademark registrations and decades of use. Complainant argues that the Domain Name is confusingly similar to the ERICSSON Mark because it incorporates the mark almost in its entirety, merely transposing two adjacent letters. This minor alteration – swapping the “c” and “s” – results in a common misspelling of the mark that looks and sounds nearly identical to “ERICSSON”. Complainant characterizes this as a classic case of typosquatting, whereby the Domain Name is intentionally designed to be mistaken for Complainant’s well-known trademark. According to Complainant, Internet users encountering the Domain Name are likely to confuse it with Complainant’s official <ericsson.com> domain name or assume it is affiliated with Complainant, given the virtually identical appearance of “eriscson” to “ericsson”.

With respect to the second element of the Policy, Complainant states that it has never authorized Respondent to use the ERICSSON Mark, whether in a domain name or otherwise. Complainant further asserts that Respondent is not affiliated with Complainant, and nothing in the record suggests that Respondent is commonly known by the name “eriscson”. The underlying registration data identifies the registrant as “James Nicole” which has no connection to the term “eriscson”. Complainant notes that Respondent initially hid behind a privacy service, which past panels have also found to equate to a lack of legitimate interest. According to Complainant, Respondent’s use of the Domain Name does not qualify as a bona fide offering of goods or services or a legitimate noncommercial use. The Domain Name leads only to

a parking page (with a message about pending Whois verification), and Respondent has made no demonstrable preparations to use the Domain Name for any legitimate purpose. Complainant argues that it has established a prima facie case that Respondent lacks rights or legitimate interests, shifting the burden to Respondent to produce evidence to the contrary – which Respondent has failed to do.

With respect to the third element of the Policy, Complainant asserts that the ERICSSON Mark is famous and had been in use for well over a century by the time Respondent registered the Domain Name in 2025. Given the notoriety of the ERICSSON Mark and Complainant's extensive online presence (including the long-standing <ericsson.com> domain name), Complainant contends that Respondent must have been aware of Complainant's rights and clearly targeted the ERICSSON Mark when choosing the Domain Name. The deliberate misspelling "ericscon" indicates an intent to confuse users who mistype the correct spelling, which is a strong indicator of bad faith. Complainant cites previous UDRP decisions holding that registering a known mark with a slight spelling variation constitutes evidence of opportunistic bad faith. Furthermore, Complainant maintains that Respondent's passive holding of the Domain Name (with no legitimate content) does not absolve it of bad faith; rather, in the circumstances, the Domain Name must be considered as having been registered and used in bad. Complainant notes that factors such as the fame of the mark, the implausibility of any good faith use by Respondent, and Respondent's concealment of identity and failure to respond to correspondence all support a finding of bad faith under the doctrine of passive holding. Complainant also contends that by creating a likelihood of confusion with Complainant's famous mark, Respondent has intentionally attempted to attract Internet users for potential commercial gain, which would fall under the example of bad faith in paragraph 4(b)(iv) of the Policy. Lastly, Complainant points out that Respondent ignored cease-and-desist letters sent prior to the proceedings, which past UDRP panels have viewed as further evidence of bad faith in the absence of any response or justification.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted and failed to file a Response, paragraph 4(a) of the Policy requires Complainant to support its assertions with evidence and thus prove each of the following elements:

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

Because of Respondent's default, the Panel may accept as true Complainant's reasonable factual allegations and draw appropriate inferences in Complainant's favor, provided the Panel is satisfied that such allegations are supported by evidence. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also Rules, paragraph 5(f) ("If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint"). Having reviewed the Complaint, the amended Complaint, and the supporting evidence, and in light of the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel's findings on each of the required elements are set forth below.

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

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. Complainant has proven its rights in the ERICSSON trademark through valid and subsisting trademark registrations, as well as long-standing use of the mark in commerce. For example, Complainant's U.S. Trademark Registration No. 1,313,196 for ERICSSON has been on record since 1985. Possession of a nationally registered trademark satisfies the threshold requirement of having rights in a mark for purposes of the Policy. Accordingly, Complainant's rights in the ERICSSON Mark are established.

The remaining question under the first element is whether the Domain Name is identical or confusingly similar to Complainant's mark. The Domain Name is plainly a close misspelling of the ERICSSON Mark. As discussed in the [WIPO Overview 3.0](#), section 1.9, the consensus view is that "[a] domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element". Similarly, previous UDRP panels have consistently held that "a mere addition or a minor misspelling of Complainant's trademark does not create a new or different mark in which Respondent has legitimate rights". *Express Scripts, Inc. v. Whois Privacy Protection Service, Inc. / Domaindeals, Domain Administrator*, WIPO Case No. [D2008-1302](#). ("Such insignificant modifications to trademarks is commonly referred to as 'typosquatting' or 'typo-piracy,' as such conduct seeks to wrongfully take advantage of errors by users in typing domain names into their web browser's location bar.") The spelling errors used in typosquatting have been found to produce domain names that are confusingly similar to the marks which they mimic. See, e.g., *Yahoo! Inc. and GeoCities v. Data Art Corp., DataArt Enterprises, Inc., Stonybrook Investments, Global Net 2000, Inc., Powerclick, Inc., and Yahoo Search, Inc.*, WIPO Case No. [D2000-0587](#). Here, the Domain Name is confusingly similar to the ERICSSON Mark, merely swapping the positions of the "c" and "s".

Complainant has thus satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Complainant must make a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name, after which the burden of production shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests. See section 2.1 of the [WIPO Overview 3.0](#).

Complainant has stated that it has not licensed or authorized Respondent to use the ERICSSON Mark. There is no relationship between Complainant and Respondent that would give rise to any permission to use the mark. The registration data information provided by the Registrar shows the registrant name as "James Nicole", which bears no resemblance to the Domain Name or the term "ericsson". This strongly suggests that Respondent is not commonly known by the Domain Name or by any name similar to Complainant's mark. Respondent has not come forward with any evidence that it might be known by "ericsson" or that it has any independent rights in that term. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy¹ or otherwise.

There is also no evidence that Respondent was using the Domain Name for a bona fide offering of goods or services prior to notice of the dispute, or at all. To the contrary, the Domain Name is being used to display a notice about pending Whois verification, which is effectively no use. Such passive holding of a domain name consisting of a typographical variation of a famous trademark does not confer rights or legitimate interests. Complainant points out that the Domain Name leads to an inactive website, and as such, is not used in connection with a bona fide offering of goods or services pursuant to Policy, paragraph 4(c)(i). See *Société*

¹ The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: "(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue".

nationale des télécommunications: Tunisie Telecom v. Ismael Leviste, WIPO Case No. [D2009-1529](#) (noting that passive holding of a disputed domain name “does not constitute a legitimate use of such domain name” that would give rise to a right or legitimate interest); *Philip Morris USA Inc. v. Daniele Tornatore*, WIPO Case No. [D2016-1302](#) (the respondent had no rights or legitimate interests in the disputed domain name where the disputed domain name resolved to an inactive website); *Philip Morris USA Inc. v. Elijah Etame*, WIPO Case No. [D2016-0968](#) (“the Panel cannot imagine any potentially legitimate interest that Respondent might have in the disputed domain names based on the manner in which the disputed domain names have been used on the inactive websites”).

Based on the foregoing, Complainant has made a prima facie showing of Respondent’s lack of any rights or legitimate interests, and Respondent has failed to come forward to rebut that showing. As provided for by paragraph 14(b) of the Rules, the Panel may draw such inference from Respondent’s default as it considers appropriate. The Panel finds that Respondent does not have rights or legitimate interests in the Domain Name and that Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Policy’s third element requires Complainant to prove that the Domain Name was registered and is being used in bad faith. Paragraph 4(b) of the Policy sets out four illustrative circumstances of bad faith, but this list is not exhaustive; bad faith may be found based on the totality of the circumstances, even if none of the paragraph 4(b) examples are directly applicable. In this case, the Panel concludes that Respondent’s conduct constitutes bad faith, noting typosquatting on a famous mark, and passive holding in the context of a likely intent to target Complainant’s mark.

It is beyond doubt that Respondent was aware of Complainant and its ERICSSON Mark when registering the Domain Name. The ERICSSON Mark is world-famous in the field of telecommunications. Complainant had been using the mark for decades and held numerous trademark registrations by the time Respondent registered the Domain Name in September 2025. It seems most likely that “eriscson” was chosen for its resemblance to Complainant’s ERICSSON Mark. Respondent’s deliberate misspelling of the mark is a strong indication of targeting. This is a clear case of opportunistic bad faith, where a respondent registers a domain name specifically because it is confusingly similar to a famous mark, hoping to exploit that similarity. Prior UDRP decisions have held that the mere registration of a well-known trademark (or a close mimic of it) by an unaffiliated party can itself create a presumption of bad faith. Here, the fact that the Domain Name is almost identical to Complainant’s trademark – differing only by a subtle letter inversion – suggests that Respondent’s registration was most likely in bad faith, with knowledge of Complainant’s rights. Indeed, registering a typo-variant of a famous trademark is one of the paradigmatic examples of bad faith recognized under the Policy. See, e.g., *Wal-Mart Stores, Inc. v. Longo*, WIPO Case No. [D2004-0816](#) (finding that typosquatting was “presumptive of registration in bad faith”).

Although Respondent has not actively used the Domain Name for a developed website, the concept of “use in bad faith” under the Policy is broad, and passive holding can amount to bad faith use in appropriate circumstances. See *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) (famous case establishing that the passive holding of a domain name may satisfy the bad faith requirement). In the present case, multiple factors lead the Panel to conclude that Respondent’s passive holding of the Domain Name is in bad faith. These factors include: (1) the strong reputation and worldwide recognition of Complainant’s ERICSSON Mark; (2) the inherently misleading nature of the Domain Name as a typographical alteration of that mark; (3) the lack of any actual or contemplated legitimate use by Respondent; (4) Respondent’s concealment of its identity through a privacy service; and (5) Respondent’s failure to respond to demand letters and participate in these proceedings or provide any defense or explanation. Given these circumstances, the current non-use of the Domain Name by Respondent is, in the Panel’s assessment, indicative of bad faith. The Panel finds that Respondent’s passive holding of the Domain Name, in this context, constitutes bad faith.

Accordingly, Complainant has satisfied paragraph 4(a)(iii) 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 Domain Name, <eriscson.com>, be transferred to Complainant.

/John C. McElwaine/

John C. McElwaine

Sole Panelist

Date: January 30, 2026