ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Zero Technologies, LLC v. Ahmet Gokhan Kara
Case No. D2026-4899

1. The Parties

The Complainant is Zero Technologies, LLC, United States of America ("United States"), represented by Baker & Hostetler LLP, United States.

The Respondent is Ahmet Gokhan Kara, Canada, self-represented.

2. The Domain Name and Registrar

The disputed domain name <zerofilteronline.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 October 27, 2026. On October 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 28, 2026, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on October 28, 2026, 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 October 28, 2026.

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 October 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2026. The Response was filed with the Center on October 29, 2026. The Respondent sent an email communication to the Center on October 29, 2026, confirming that the Respondent's filing on October 29, 2026, constituted the Respondent's complete Response.

The Center appointed Adam Taylor as the sole panelist in this matter on November 2, 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

The Complainant has supplied water filtration products under the mark ZEROWATER, and other ZERO-formative marks, for some 25 years.

The Complainant owns a number of ZERO-formative registered trade marks including United States trade mark No. 2802616 for ZEROWATER (word), filed on February 25, 1999, registered on January 6, 2004, in class 11, with a first use date of April 2002.

The Complainant has operated a website at "www.zerowater.com" since at least 2002.

The Registrar disclosed contact details in Canada. The Respondent states that he is located in Türkiye.

The Respondent also asserts that, through a Canadian company with which he was associated, the Respondent was involved in the distribution of the Complainant's products in Türkiye between 2014 and 2020.

The Respondent registered the disputed domain name on January 13, 2023, allegedly for a Canadian online store, and the domain name <zerofilterstore.com>[1] on July 20, 2023, allegedly for a United States store.

On July 20, 2023, the Respondent incorporated a Delaware company called Zero Filter Online LLC.

The Respondent, or the Respondent's company, owns the following trade mark registrations for ZEROFILTER ONLINE:

- Canadian trade mark No. TMA 1,292,011 (word), filed July 19, 2023, registered on February 17, 2025, in class 11;

- Turkish trade mark No. 2023/097552 (logo), filed July 28, 2023, registered on January 16, 2025, in classes 6 and 11; and

- United States trade mark No. 7,995,613 (word), filed July 31, 2023, registered on October 21, 2025, in class 11, claiming a first use date of September 2023.

As of July 22, 2023, the disputed domain name resolved to a website that was branded with a black/blue "ZEROFILTER ONLINE" logo, and invited users to pre-order water filter packs that were illustrated with product images displaying unbranded filters, with prices in Canadian dollars.

As of September 24, 2023, the domain name <zerofilterstore.com> resolved to a similar website, with prices in United States dollars. The footer stated: "We are a proudly Owned and Operated U.S Company Located County Of Sussex. Our Company Zero Filter Online LLC. is heavily invested in R&D activities to develop Premium 5 Stage Replacement water filters that fits on certain pitchers and water dispensers."

By October 27, 2026, some of the replacement filters on the website at the disputed domain name were now illustrated with ZEROFILTER ONLINE-branded product images and packaging. The website also offered ZEROWATER-branded pitchers, dispensers, and other products for sale.

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[1] This domain name is the subject of a separate proceeding between the parties – see Zero Technologies, LLC v. Ahmet Gokhan Kara, WIPO Case No. D2026-4848.

The Respondent states that, on October 28, 2026, after notice of the Complaints in both proceedings, the Respondent took the following steps on both websites:

1. removal of third-party ZEROWATER-branded products;

2. removal of references to compatibility with the Complainant's products; and

3. retention of the following statements:

- "Zero Filter Online is an independent brand and is not affiliated with ZeroWater …" (website at the disputed domain name); and

- The Respondent "is not affiliated with any pitcher or dispenser manufacturer" (website at "www.zerofilteronline.com").

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, having ordered filters from the Respondent's website, contends that they are counterfeit Complainant products. The Complainant notes, amongst other things, that they are sold in packaging similar to that used by the Complainant and that they bear a "ZEROWATER®" screw-on top.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that:

- the Complainant does not plead any registrations for ZERO alone;

- the term "zero" is a weak, descriptive term in the water-filtration field, and is a common English term;

- the distinctive element of the disputed domain name is "zerofilter";

- the Respondent chose a distinct brand, ZEROFILTER ONLINE, for its own online business;

- the Complaint does not address the Respondent's registered rights in three different jurisdictions, which long predate notice of this dispute and are not displaced by the fact that the United States registration is under challenge by the Complainant, and there is no evidence of pretext;

- the July 2023 company/domain name registrations and trade mark applications reflect a genuine business plan and, together with the website use, they constitute a bona fide offering before notice of the disputes;

- the reseller test in Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903 ("the Oki Data test") is inapplicable as the disputed domain name does not contain the Complainant's trade mark and the Respondent's interest derives from its own registered marks;

- both stores have offered genuine products of other brands, including the Complainant's, and offering of genuine Complainant-branded goods alongside other products is not cybersquatting;

- the Complainant's allegation of counterfeiting is not supported by evidence;

- the test order sent to the Complainant related to Complainant-branded products only;

- the Respondent did not ship the Complainant's order for the Respondent's own-brand filters;

- the Complainant does not allege that the Complainant-branded pitchers on Respondent's website are counterfeit;

- this is at most a trade mark dispute between traders in the same field, not a cybersquatting case suitable for the UDRP;

- knowing of a trader in the same field is not bad faith where the registrant adopts a distinct brand of its own, files trade mark applications for it in three jurisdictions at around the same time as the domain names, and trades under that brand;

- the disputed domain name reflects the Respondent's ZEROFILTER… mark, and not the Complainant's ZEROWATER mark, because "water" is omitted;

- the Respondent's removal of the Complainant's branded products from the websites after notice of the Complaints was from an abundance of caution and without admission of liability; and

- the Complainant is guilty of reverse domain name hijacking ("RDNH").

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds that a dominant feature of the relevant mark, namely the term "zero", is recognisable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

It is irrelevant that, as the Respondent contends, the Complainant does not claim any registrations for "ZERO" alone.

The Respondent further asserts that the term "zero" is "weak", but issues such as the strength of the Complainant's mark are decided under the second and third elements. WIPO Overview 3.1, section 1.7.

Although the addition of other terms (here, "filter" and "online") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, 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 recognised that proving that 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 3.1, 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 sufficient evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent relies heavily on its three trade marks for ZEROFILTER ONLINE. However, a respondent's registration of a trade mark corresponding to the disputed domain name will not suffice to establish rights or legitimate interests if the overall circumstances demonstrate it was obtained primarily to circumvent the complainant's assertion of its rights or otherwise prevent the complainant's exercise of its rights. WIPO Overview 3.1, section 2.12.

For the reasons given under the third element below, the Panel considers that, on the balance of probabilities, the Respondent's three trade marks, all filed approximately six months after registration of the disputed domain name, were indeed applied for primarily as a defensive move to prevent the Complainant's exercise of its rights, and as part of a scheme calculated to target the Complainant's trade mark.

As to paragraph 4(c)(i) of the Policy, and as further discussed under the third element below, the Panel considers that the Respondent has used the disputed domain name to intentionally attempt to attract, confuse and profit from Internet users seeking the Complainant's products. Such use of the disputed domain name is not bona fide.

The Panel would add that, while the Respondent formerly sold the Complainant's products on its website at the disputed domain name, i.e., in addition to the Respondent's (allegedly) own-branded replacement filters, the Respondent has specifically contended that "the Oki Data test" is inapplicable, on the grounds that the disputed domain name was allegedly intended to reflect the Respondent's own mark rather than the Complainant's mark. Accordingly, the Panel has not considered the applicability of any reseller-type defence in connection with the former offering of the Complainant's products on the Respondent's website.

As to paragraph 4(c)(ii) of the Policy, while the Respondent has provided evidence of registration of a corporate name corresponding to the disputed domain name (see section 4 above), all the circumstances indicate that, as in the case of its trade marks filed at around the same time, the Respondent adopted the relevant corporate name specifically to take unfair advantage of the Complainant's rights. Accordingly, the Panel considers that paragraph 4(c)(ii) of the Policy does not apply.

Nor is there any evidence that paragraph 4(c)(iii) of the Policy is relevant in the circumstances of this case.

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

C. Registered and Used in Bad Faith

In the present case, for the following reasons, the Panel considers that the Respondent has intentionally attempted to attract Internet users to a website for commercial gain by creating a likelihood of confusion with the Complainant's trade mark for the purpose of the sale of competing products and/or the Complainant's own products in accordance with paragraph 4(b)(iv) of the Policy.

First, the Respondent acknowledges that it was aware of the Complainant when it registered the disputed domain name and, indeed, that it was formerly in a six-year business relationship with the Complainant.

Second, the Respondent has supplied no evidence in support of its claim that "zero" is a weak, descriptive term in the water-filtration field.

Third, the Respondent has not explained exactly why it selected the term "zero".

Fourth, while the Respondent is at pains to differentiate between the Complainant's ZEROWATER mark and the Respondent's ZEROFILTER ONLINE mark, to the Panel they are strikingly similar in that both are dominated by the distinctive term "zero", followed by descriptive terms relevant to water filtration, namely "water" and "filter" respectively. Nothing turns on the Respondent's "-online" suffix.

Fifth, the Respondent used the disputed domain name for a website offering not only the Respondent's ZEROFILTER ONLINE-branded replacement filters, but also the Complainant's own ZEROWATER-branded pitchers, dispensers and other products, which the Respondent thereafter removed from its website, albeit "without admission".

Sixth, the Respondent's logo is similar to that of the Complainant in that it also uses black/blue font.

Seventh, the Respondent's replacement filter packaging is similar to that used by the Complainant for its own replacement filters including: a black background; images of one horizontal and one vertical filter; the term "…ADVANCED FILTRATION" in identical yellow font in a rectangle with rounded corners; and an identical yellow splash at the bottom right with the term "2 REPLACEMENT WATER FILTERS" in similar black font.

For all the above reasons, the Panel does not accept the Respondent chose its own "distinct brand", ZEROFILTER ONLINE, for its own online business, i.e., independently of the Complainant's mark. On the contrary, the evidence on record indicates that the Respondent adopted its name specifically to target the Complainant's mark, and that its July 2023 trade mark filings and company incorporation were defensive moves designed to justify its registration of the disputed domain name (and the domain name <zerofilterstore.com>). Accordingly, the Panel disagrees with the Respondent's assertion that this is "at most" a trade mark dispute, unsuitable for the UDRP.

The Panel is not in a position to assess whether any of the Respondent's products are counterfeit, and indeed it is not necessary for the Panel to do so. It suffices that the Respondent used the disputed domain name, which is similar to the Complainant's mark, for a website that creates the impression that it is officially associated with the Complainant including by prominent use of a similar mark/logo and images of product packaging similar to that of the Complainant as well as by purporting to offer the Complainant's own goods.

Nothing turns on the disclaimer invoked by the Respondent. While the record contains disclaimer wording, it does not establish that the disclaimer was prominently displayed. The Panel in any case considers that the Respondent's use of such a disclaimer amounts to an admission that users may be confused. WIPO Overview 3.1, section 3.7.

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

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 <zerofilteronline.com> be transferred to the Complainant.

/Adam Taylor/
Adam Taylor
Sole Panelist
Date: November 3, 2026