

ADMINISTRATIVE PANEL DECISION

Juniper Networks, Inc. v. Karl Schnurch, EdenMedia
Case No. D2024-4384

1. The Parties

The Complainant is Juniper Networks, Inc., United States of America (“United States”), represented by Hanson Bridgett LLP, United States.

The Respondent is Karl Schnurch, EdenMedia, Seychelles.

2. The Domain Name and Registrar

The disputed domain name <junper.net> is registered with Key-Systems GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 25, 2024. On October 25, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 29, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on October 29, 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 amended Complaint on October 29, 2024.

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 November 4, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 24, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 25, 2024.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on November 29, 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 a United States company founded in 1996, global leader in development and marketing of customized hardware and software goods and services for a wide variety of clients (manufacturers, financial services, hospitals, universities, etc.) The Complainant's products include Artificial Intelligence technology, enterprise-grade routers, network access points, and associated software, among many others.

The Complainant is the owner of several trademark registrations including:

Trademark	Registration No.	Jurisdiction	Date of Registration	Class
JUNIPER	4122106	United States	April 3, 2012.	Class 9, Class 37, and Class 42.
JUNIPER	4129171	United States	April 17, 2012.	Class 9, Class 37, Class 41, and Class 42.
JUNIPER NETWORKS	2255921	United States	June 22, 1999.	Class 9, Class 37, and Class 42.
JUNIPER NETWORKS	4198803	United States	August 28, 2012.	Class 16.

The Complainant owns the domain name <juniper.net>, which resolves to the Complainant's main website. The Complainant's domain name <juniper.net> was registered on August 8, 1996.

The disputed domain name <juniper.net> was registered on November 29, 2019. At the time of writing this decision, the disputed domain name resolves to a parked website with pay-per-click ("PPC") links that redirect traffic to third party websites, some of which are related to financial and investment businesses.

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 the following:

That it has achieved broad recognition as a result of its net revenues and its client list which includes some of the most important telecommunications service providers and government institutions.

I. Identical or Confusingly Similar

That the disputed domain name is confusingly similar to the Complainant's JUNIPER trademarks. That the disputed domain name is identical to the Complainant's JUNIPER trademarks and domain name (<juniper.net>) except for the omission of the letter "i", which fact supports a finding of confusing similarity

(and cites *Verizon Trademark Services, LLC v. Paulo c/o Paulo Kann*, WIPO Case No. [D2010-0989](#); *Edmunds.com, Inc. v. Digi Real Estate Foundation*, WIPO Case No. [D2006-1043](#); *Edmunds.com, Inc. v. Yingkun Guo, dba This domain name is 4 sale*, WIPO Case No. [D2006-0694](#) and WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.9).

II. Rights or Legitimate Interests

That the Respondent has no rights to, or legitimate interests in the disputed domain name. That the Respondent is not commonly known by or as "Juniper", and that the Respondent could not have developed any rights in the Complainant's well-known trademarks.

That the Respondent is not affiliated with the Complainant and that the Complainant has not licensed or permitted the Respondent to use its JUNIPER trademarks, or any domain name incorporating said trademarks.

That the present case constitutes prima facie evidence that the Respondent does not have any rights to, or legitimate interests in the disputed domain name under the Policy (and cites *Compagnie de Saint Gobain v. Com-Union Corp.*, WIPO Case No. [D2000-0020](#) and *Cellular One Group v. Paul Brien*, WIPO Case No. [D2000-0028](#)).

That the Respondent is not a licensee of the Complainant and that, to the best of the Complainant's knowledge, the Respondent has never been commonly known by the disputed domain name.

That the Respondent cannot demonstrate rights to, or legitimate interests in the disputed domain name under the Policy because the Respondent does not use the disputed domain name in connection with a bona fide offering of goods or services, in a noncommercial manner, or in a manner that could be deemed as fair use.

That the Respondent intentionally diverts Internet users looking for the Complainant's websites to an online listing of links that lead to businesses of third parties, including competitors of the Complainant.

That the use of a parked page with paid links does not represent a bona fide offering when said links compete with or capitalize on the Complainant's reputation and goodwill, or otherwise mislead Internet users (and cites *Virgin Enterprises Limited v. LINYANXIAO aka lin yanxiao*, WIPO Case No. [D2016-2302](#); *Merck Sharp & Dohme Corp. v. Domain Administrator*, WIPO Case No. [D2017-0302](#), *Archer-Daniels-Midland Company v. Wang De Bing*, WIPO Case No. [D2017-0363](#) and [WIPO Overview 3.0](#) Section 2.9.)

III. Registered or Used in Bad Faith

That the Respondent's registration and use of the disputed domain name is a classic example of typosquatting schemes. That the Respondent has registered and used the disputed domain name in a deliberate attempt to deceive Internet users regarding the Respondent's identity or an appearance of a connection with the Complainant by operating a "link-tree farm" on the website to which the disputed domain name resolves.

That the website to which the disputed domain name resolves redirects users to a webpage which lists sponsored links, which in turn lead users to further sponsored pages, while displaying on its header "junper.net", and that this is done to cause consumer confusion and deception.

That the Respondent was aware of the Complainant and its prior JUNIPER trademarks when registering the disputed domain name, as the Complainant's reputation and renown were instrumental to the Respondent's "link-farming" scheme.

That no website has been hosted at the disputed domain name which could indicate that the Respondent has a legitimate interest in it.

That even the Complainant's staff and employees have been misled and misdirected to the disputed domain name. That the Complainant's records indicate that some of the Complainant's machines and devices have queried the disputed domain name and its subdomains thousands of times.

That the Respondent's conduct is an example of typosquatting for promoting sponsored links, and that past UDRP panels have recognized this as clear typosquatting conduct (and cites *Virgin Enterprises Limited v. LINYANXIAO aka lin yanxiao, supra, Wärtsilä Technology Oy Ab v. Hassan Sama*, WIPO Case No. [D2020-0757](#), and *ZipRecruiter, Inc. v. Shuai Lou Pan / Pan Shuai Lou*, WIPO Case No. [D2019-2673](#)).

That there is no evidence that the Respondent has used the disputed domain name for anything other than capitalizing on the Complainant's goodwill in a typosquatting scheme to promote sponsored links, or as a deliberate scheme to misdirect the Complainant's internal network traffic.

B. Respondent

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

6. Discussion and Findings

Given the Respondent's failure to specifically address the case merits as they relate to the three UDRP elements, the Panel may decide this proceeding based on the Complainants' undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#), and *Encyclopaedia Britannica, Inc. v. null John Zuccarini, Country Walk*, WIPO Case No. [D2002-0487](#); see also [WIPO Overview 3.0](#) Section 4.3).

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 3.0](#), section 1.7.

The Complainant has shown its rights in respect of the JUNIPER trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.2.1 and 1.4.

The disputed domain name is confusingly similar to the Complainant's JUNIPER trademarks because it reproduces its distinctive "juniper" term, with the omission of the letter "i" between the letters "n" and "p", which makes this a typical case of typosquatting, considering that it is an intentional misspelling of the Complainant's highly distinctive trademark (see section 1.9 of the [WIPO Overview 3.0](#); see also *Schneider Electric S.A. v. Domain Whois Protect Service / Cyber Domain Services Pvt. Ltd.*, WIPO Case No. [D2015-2333](#); *Rolls-Royce plc v. John Holt.*, WIPO Case No. [D2017-1842](#); *Mastercard Prepaid Management Services Limited v. Cash SDSA.*, WIPO Case No. [D2020-1938](#); and *ZB, N.A., a national banking association, dba Zions First National Bank v. Sharon White*, WIPO Case No. [D2017-1769](#)).

The addition of the generic Top-Level Domain ("gTLD") ".net" to the disputed domain name constitutes a technical requirement of the Domain Name System ("DNS"). Thus, it has no legal significance in assessing identity or confusing similarity in the present case (see *CARACOLITO S SAS v. Nelson Brown, OXM.CO*, WIPO Case No. [D2020-0268](#); *SAP SE v. Mohammed Aziz Sheikh, Sapteq Global Consulting Services*, WIPO Case No. [D2015-0565](#); and *Bentley Motors Limited v. Domain Admin / Kyle Rocheleau, Privacy Hero Inc.*, WIPO Case No. [D2014-1919](#) and [WIPO Overview 3.0](#), section 1.11.1.)

Accordingly, the disputed domain name is confusingly similar to the Complainant's JUNIPER trademarks 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

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 to 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 to 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, by failing to specifically address the Complainant’s contentions, 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 Panel notes that the disputed domain name is being used to resolve to a website with PPC links to websites of third parties, including sites of competitors of the Complainant. Hence, no rights or legitimate interests can be found in favor of the Respondent. [WIPO Overview 3.0](#), section 2.9.

Therefore, 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.

The Complainant has ascertained its rights over its JUNIPER trademarks. The dates of registration of the JUNIPER trademarks significantly precede the date of registration of the disputed domain name. In the present case, the Panel notes that the disputed domain name is confusingly similar to the Complainant’s JUNIPER trademarks, by just omitting the letter “i”, thus engaging in a typosquatting conduct. The fact that the Respondent registered the disputed domain name, which is confusingly similar to the Complainant’s JUNIPER trademarks, and has used it to display PPC links, some of which that relate to the Complainant’s field of services shows that the Respondent has targeted the Complainant and its trademarks, which constitutes opportunistic bad faith (see section 3.2.1 of the [WIPO Overview 3.0](#); see also *L’Oréal v. Contact Privacy Inc. Customer 0149511181 / Jerry Peter*, WIPO Case No. [D2018-1937](#); *Gilead Sciences Ireland UC / Gilead Sciences, Inc. v. Domain Maybe For Sale c/o Dynadot*, WIPO Case No. [D2019-0980](#); *Dream Marriage Group, Inc. v. Romantic Lines LP, Vadim Parhomchuk*, WIPO Case No. [D2020-1344](#); and *Valentino S.p.A. v. Qiu Yufeng, Li Lianye*, WIPO Case No. [D2016-1747](#)).

Moreover, the disputed domain name resolves to a parked website comprising PPC links, some of which lead to websites of competitors of the Complainant. Therefore, this Panel considers that the Respondent is trying to capitalize on the reputation and goodwill of the Complainant and its JUNIPER trademarks by misleading Internet users, for commercial gain, to the website to which the disputed domain name resolves (and the websites to which the PPC links made available therein redirect), by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of said websites, which constitutes bad faith under paragraph 4(b)(iv) of the Policy (see section 3.1.4 of the [WIPO Overview 3.0](#); see also

Ustream.TV, Inc. v. Vertical Axis, Inc, WIPO Case No. [D2008-0598](#). “The Respondent’s use of the disputed domain name for a PPC parking page constitutes bad faith use because the Respondent is attracting Internet users to its website by causing confusion as to whether its website is, or is associated with, the Complainant or its services. This conduct disrupts the Complainant’s business by diverting consumers away from the Complainant’s website. The diversion is for the Respondent’s commercial gain because the Respondent receives PPC revenue from those visitors to its website who click through to the advertising on the site. Thus, the Respondent’s conduct constitutes classic bad faith registration and use under paragraph 4(b)(iv) of 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 <junper.net> be transferred to the Complainant.

/Kiyoshi Tsuru/

Kiyoshi Tsuru

Sole Panelist

Date: December 13, 2024