

ADMINISTRATIVE PANEL DECISION

Juniper Networks, Inc. v. Rosh Ramadass
Case No. D2024-4610

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 Rosh Ramadass, United States.

2. The Domain Name and Registrar

The disputed domain name <jnprlabs.net> is registered with Amazon Registrar, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 8, 2024. On November 11, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 11, 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 (On behalf of jnprlabs.net owner) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 12, 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 November 17, 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 19, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 9, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Parties of the Respondent's default on December 11, 2024.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on December 16, 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, headquartered in California, United States, offers networking hardware and software and related goods and services. It is the proprietor of several trademark registrations, including the following:

— United States Trademark Registration No. 2255921 for JUNIPER NETWORKS (word mark), registered on June 22, 1999, for goods and services in classes 9, 35 and 42; and

— United States Trademark Registration No. 4122106 for JUNIPER (word mark), registered on April 2, 2012, for goods and services in classes 9 and 37, claiming first use in 1998.

The Complainant asserts unregistered trademark rights dating to 1996 in the marks JUNIPER LABS and JUNIPER VLABS. The Complainant states that it has registered and uses the domain name <juniper.net> for its primary business website, and the subdomain <jlabs.juniper.net> to market “virtualized” lab services under those marks. The Complainant states that it has spent millions of dollars promoting its JUNIPER marks.

The disputed domain name was registered on April 28, 2021. At the time of the Complaint and of this Decision, it did not resolve to an active website.

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, founded in 1996, it is a global leader in the development and marketing of customized next-generation networking hardware and software and related goods and services. The Complainant’s customers include the world’s largest and most influential service providers and enterprises. It had net revenues of over 5.5 billion USD in 2023. The disputed domain name is identical to the Complainant’s unregistered JUNIPER LABS mark with only the vowels “u,” “i,” and “e” omitted. The Respondent has no rights in the JUNIPER marks and is not authorized by the Complainant to use its marks. The Respondent was operating multiple subdomains to exploit the Complainant’s reputation, including “contrail-networking.jnprlabs.net”, “hub.jnprlabs.net”, “secops.jnprlabs.net” and others. One of the subdomains, “contrailsaas.jnprlabs.net”, reflects the CONTRAIL mark for which the Complainant owns a trademark registration. The Respondent provided contact information including the Complainant’s physical address and an email address including the Complainant’s own domain at <juniper.net>. The disputed domain name does not resolve to an active website and is being passively held to divert Internet traffic intended for the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

- (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 Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

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, namely, the JUNIPER mark, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Complainant’s mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The Panel finds that the omission of the vowels “u”, “i” and “e” is a misspelling of the Complainant’s mark and 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 1.9.

Although the addition of other terms (here, “labs”) may bear on assessment of the second and third elements, the Panel finds the addition of such a 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.

The Panel notes that the composition of the disputed domain name, which reflects the JUNIPER mark lacking its vowels, followed by the term “labs,” for which the Complainant has provided evidence of use in the marketplace, creates a risk that Internet users will not notice the misspelling of the Complainant’s mark.

The Respondent has not proved rights or legitimate interests. There is no evidence that the Respondent is commonly known by the disputed domain name, or that there are any circumstances or activities that would establish the Respondent’s rights therein. Rather, the disputed domain name is inactive. Under these circumstances, such use cannot establish rights or legitimate interests. See [WIPO Overview 3.0](#), section 2.5.2, and cases cited thereunder.

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.

In the present case, the Panel notes that the Respondent has not actively used the disputed domain name.

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.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the JUNIPER mark and the composition of the disputed domain name clearly targeting the Complainant’s mark. The Panel further notes that the Respondent provided contact information reflecting the Complainant’s physical address and an email address incorporating the Complainant’s own domain name at <juniper.net>, and the fact that the subdomains created by the Respondent reference the Complainant’s services and another trademark owned by the Complainant. In the circumstances of this case, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of 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 <jnprlabs.net> be transferred to the Complainant.

/Ingrīda Kariņa-Bērziņa/

Ingrīda Kariņa-Bērziņa

Sole Panelist

Date: December 30, 2024