

ADMINISTRATIVE PANEL DECISION

The Knowledge Academy Holdings Limited v. Rezaur Rahman
Case No. D2025-0270

1. The Parties

The Complainant is The Knowledge Academy Holdings Limited, United Kingdom, represented by Michelmores LLP, United Kingdom.

The Respondent is Rezaur Rahman, Bangladesh.

2. The Domain Name and Registrar

The disputed domain name <academyknowledge.com> is registered with Purple IT Ltd (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 23, 2025. On January 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 31, 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 (Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 3, 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 amended Complaint on February 4, 2025.

The Center verified that the Complaint 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 February 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 26, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on February 27, 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 in the business of providing online educational services. It owns several registrations around the world for the mark THE KNOWLEDGE ACADEMY, including European Union Reg. No. 01815713, registered on May 22, 2020, and United Kingdom Reg. No. UK00918157130, registered on May 22, 2020. The Complainant is the registrant of a portfolio of domain names including <theknowledgeacademy.com>.

According to the Whois information, the disputed domain name was registered on December 22, 2024. The Respondent has used the disputed domain name to set up a “parked” page.

5. Parties’ Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant’s trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied:

- (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 disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The first element functions primarily as a standing requirement. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7. The Complainant has demonstrated its rights in its THE KNOWLEDGE ACADEMY mark by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the same words as the Complainant’s trademark (except for particle “the”), making them similar in appearance. Though one could reasonably consider that its sequence has a different connotation, a matter that the Panel will explore under the third element, the Panel finds that the Complainant has established this first element and proceeds to a discussion of the remaining elements.

B. Rights or Legitimate Interests

Under the Policy, the Complainant bears the initial burden of making a prima facie showing that the Respondent lacks rights or legitimate interests in the disputed domain name. Once that showing is made, the burden shifts to the Respondent to provide evidence of any rights or legitimate interests it may have.

On this point, the Complainant asserts that the Respondent is not commonly known by the disputed domain name and that the Respondent registered the domain name knowing it was likely to attract interest from Internet users searching for the Complainant. Though the Complainant's assertions and evidence are in the Panel's view meager, the Panel determines that they are sufficient to satisfy the prima facie threshold. The Respondent has not provided any evidence to rebut this showing.

Accordingly, the Panel finds that the Complainant has established the second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith. The Complainant argues that bad faith is evident from several factors, including the Respondent's presumed awareness of the Complainant's marks when registering the disputed domain name. Additionally, the Respondent has used the disputed domain name for a parking page, and the Complainant asserts that this demonstrates cybersquatting behavior intended to generate advertising revenue or sell the disputed domain name. The Complainant further contends that the registration of the disputed domain name appears intended to infringe upon the Complainant's marks and deceive consumers into believing a connection exists between the parties. Given the notoriety of the Complainant's marks, the Complainant maintains that any use of the disputed domain name by the Respondent would inevitably lead consumers to assume an association with the Complainant.

Paragraph 4(b) of the Policy sets forth four non-exhaustive circumstances that constitute evidence of bad faith registration and use:

- (i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

Even in cases of respondent default, panels have held that wholly unsupported conclusory allegations may not be sufficient to support a complainant's case. [WIPO Overview 3.0](#), section 3.1. The Panel finds that the record and circumstances do not show it was more likely than not that the Respondent had the Complainant in mind when registering the disputed domain name. The disputed domain name consists of two dictionary terms that are semantically related and commonly used together in a descriptive sense. The sequence in which the terms appear creates a different connotation when compared with the Complainant's mark — the Complainant's mark suggests an institution of learning, whereas the disputed domain name could be understood as referring to the contents of one's mind or a type of understanding. There is no reliable

indication that the Respondent – apparently located in Bangladesh where the Complainant has not shown any substantive business or registered trademark rights – has targeted the Complainant. See *Leighton Adem v. Jaewan Lee*, WIPO Case No. [D2020-1905](#).

More specifically, when examining the four scenarios outlined in Paragraph 4(b) of the Policy, none support a finding of bad faith registration and use in this case:

Regarding scenario (i), there is no reliable indication that the Respondent registered the disputed domain name primarily to sell, rent, or transfer it to the Complainant or a competitor for consideration exceeding documented costs. The mere existence of a parking page does not, without more, establish an intent to profit from selling the disputed domain name to the Complainant. This seems especially true in this situation, where the disputed domain name is comprised of two related dictionary words that commonly appear together.¹ The record lacks any communication from the Respondent offering to sell the disputed domain name or setting an excessive price.

As for scenario (ii), the Complainant has not demonstrated that the Respondent has engaged in a pattern of registering domain names to prevent trademark owners from reflecting their marks in corresponding domain names. A single registration of a domain name consisting of common dictionary terms does not establish such a pattern of conduct.

Regarding scenario (iii), no evidence suggests the Respondent registered the disputed domain name primarily to disrupt the Complainant's business. The descriptive nature of the combined dictionary terms in the disputed domain just as easily suggests a registration based on the terms' inherent value rather than any intent to target the Complainant specifically.

Finally, for scenario (iv), the disputed domain name has been used as a parked page, which according to the evidence provided by the Complainant does not seem to display any advertisements or links related to the Complainant (or its competitors) but a message to gather some sort of consent about cookies. The Panel notes such consent appears to be gathered for purposes of "[p]ersonalised advertising", but even if there were pay-per-click links generated when the user clicks on "accept" all cookies, the Panel notes that the same message refers to the processing of browsing data. Therefore, the Panel considers that the potential advertisements displayed (if any) could be likely the result of the users' browser history. Noting the difference in sequence, and meaning, between the Complainant's trademark and the disputed domain name, the Panel does not consider that such advertisements (if displayed upon the acceptance of the cookies) would necessarily lead to a conclusion that the Respondent registered the disputed domain name in bad faith (e.g. to take an unfair advantage of a similarity with the Complainant's trademark). In any case, the Panel notes that the Complainant's evidence does not show the Respondent to be targeting the Complainant. The Panel finds it likely that the Respondent may have selected the disputed domain name for reasons different to the Complainant's trademark, without having enough evidence to conclude otherwise. See *Candi Controls, Inc. v. Whois Privacy Protection Service Inc. / Domain Vault LLC*, WIPO Case No. [D2016-0818](#). Furthermore, while the disputed domain name may host a parking page with links, the Complainant has not adequately demonstrated that the Respondent intentionally attempted to create confusion with the Complainant's mark. Given that the disputed domain name consists of common dictionary terms with an independent meaning, Internet users would not necessarily associate the disputed domain name with the Complainant's mark, despite its claimed notoriety.

Accordingly, the Panel finds that the third element has not been established.

¹The Panel conducted an Internet search and located scores, if not more, of examples in which the term "academy knowledge" is used in a descriptive sense.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: March 12, 2025