

ADMINISTRATIVE PANEL DECISION

Knowledge Systems v. Robert Akscyn, Knowledge Systems Case No. D2025-0756

1. The Parties

The Complainant is Knowledge Systems, United States of America (“United States”), represented by Allan Piliko, United States.

The Respondent is Robert Akscyn, Knowledge Systems, United States.

2. The Domain Name and Registrar

The disputed domain name <ks.com> is registered with Network Solutions, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 24, 2025. On February 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 25, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint [together with the amendment to 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 March 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 30, 2025. On April 1, 2025, the Complainant wrote to the Center to withdraw its Complaint, then on April 11, 2025, asked to finally keep the proceeding ongoing. Pursuant to the Respondent’s request for a further extension to file a Response and taking into account the stated reasons for that request, the Center in accordance with paragraph 5(e) of the Rules granted a further extension of the Response due date until April 15, 2025. The Response was filed with the Center on April 16, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on April 24, 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

This proceeding demonstrates once again that two-letter .com domain names are inherently valuable and attract fraudsters as well as domain speculators.¹ Here, both parties claim to be the original registrant of the disputed domain name and the (now cancelled) corresponding relevant trademark registration. It does not appear that either party is represented by legal counsel, and the Panel cites public records as necessary to reconstruct the material facts relating to this decades-old domain name.²

The Registrar reports that the disputed domain name was created on November 3, 1993, and is registered in the name of the Respondent Robert Akscyn, listing his organization as “Knowledge Systems”, with a postal address in the State of Pennsylvania, United States, and a Gmail contact email address. The Response amply documents that Robert Akscyn is a computer scientist who was a co-developer of early hypertext and artificial intelligence programs at Carnegie Mellon University in Pennsylvania and commercialized one of these, KMS, through a Pennsylvania corporation named Knowledge Systems Incorporated, formed in 1985, of which he remains president. Mr. Akscyn and his Pennsylvania corporation Knowledge Systems Incorporated are referred to collectively hereafter as the “Respondent”.

The Internet Archive’s Wayback Machine has archived screenshots from 1998-2001 of the “Knowledge Systems” website advertising the Respondent’s business and the KMS software and explaining that Knowledge Systems is “a company spun off from Carnegie-Mellon University in 1981” to develop “distributed hypermedia and digital library technologies”. These screenshots are consistent with the Respondent’s claim to be the original registrant of the disputed domain name. After 2001, the disputed domain name appears only to have resolved to landing pages with “under construction” messages or pay-per-click (“PPC”) advertising links in various languages. This includes the period during and after December 2020, when the Registrar shows that the Whois record was last updated (but not what changes were made).

The Respondent corporation is still in good standing, according to the website of the Pennsylvania Department of State, but at the time of this Decision the disputed domain name resolves to a landing page with an “under construction” message.

The Complainant claims to be “Knowledge Systems, Inc.”, an INC. incorporated in the United Kingdom on October 18, 1983 with a registered office address in the State of California, United States. The Complainant characterizes itself as a “globally recognized leader in the field of software development and consultancy, specializing in the predictive analytics for pore pressure in rock formations”, headquartered in Houston, Texas. The Complaint attaches a copy of the LinkedIn account page for “Knowledge Systems, Inc.”, which displays little information other than identifying the company with the “oil and gas” industry, listing a “headquarters” address in Houston, claiming “51-200 employees”, and identifying four “associated members”. These include an “owner” named John Foster in the State of West Virginia who has never posted anything to date on LinkedIn. A red figurative logo appears on the LinkedIn page along with a photo of ships and the tagline, “More Knowledge. Fewer Surprises”. The initials “KS” do not appear on the page.

¹See, e.g., this panel’s recent decision in *Quickware, Inc. / Williams Fred v. Quickware*, WIPO Case No. [D2024-2516](#).

²Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 4.8.

The Complainant's assertions cannot be taken at face value. The Complainant's representative names himself as Allan Piliko, without identifying his office or role. The email address he used in corresponding with the Registrar and with the Center is composed of the *Respondent's* name at a Russian email service provider. Although the Complainant is ostensibly a United Kingdom "Inc.", no entity called "Knowledge Systems Inc." is listed on the United Kingdom's official Companies House database. The Complainant's name and address as shown in the Complaint correspond with those of a California corporation listed as "suspended" and "inactive" since August 1985 in the online database of the California Secretary of State. The Response attaches evidence that this company could not be contacted by the United States Postal Service at the given address in March 2025, when these proceedings commenced. Similarly, the "Knowledge Systems, Inc." with a mailing address in Houston, Texas has been "inactive" since 1985 and no longer has a right to transact business in Texas, according to the online database of the Texas Comptroller. The Respondent shows that the Texas company featured in the LinkedIn page cited by the Complainant was acquired in 2008 by a division of Halliburton.

The Complainant claims to own United States Trademark Registration Number 1485667 (registered on April 19, 1988) for the word mark KNOWLEDGE SYSTEMS. In fact, this registration was granted to the Respondent Knowledge Systems Incorporated, the Pennsylvania corporation with a principal address in Export, Pennsylvania, of which the Respondent Robert Akscyn was and is president. The Complainant does not demonstrate any relationship with this corporation, and the Respondent denies any association with the Complainant. In any event, as noted in the database of the United States Patent and Trademark Office ("USPTO"), this trademark registration was cancelled on January 24, 2009, because the registrant did not file an acceptable declaration of use. The Respondent states that it allowed the registration to lapse because it lacked resources to litigate against third parties, but the Respondent continues to assert common law rights in KNOWLEDGE SYSTEMS and in KMS and KNOWLEDGE MANAGEMENT SYSTEM (notably, not in KS).

The Complaint does not refer to a current website used by the Complainant. The Complainant contends that it acquired the disputed domain name to solidify its "brand identity and market presence", registering the disputed domain name on November 3, 1993, but there is no evidence for this in the record. The Complaint attaches a Whois report showing that the disputed domain name was last updated on December 21, 2020, but not how or by whom. The Complainant claims that it used the disputed domain name "continuously" until the Respondent "unlawfully hijacked" the disputed domain name on February 20, 2025, disrupting the Complainant's business and online presence. As detailed above, this is patently false. The Complainant submits no archived screenshots of its alleged former website, and those archived by the Wayback Machine are of the Respondent's former website and then of "under construction" or "PPC" landing pages.

The Complainant states that the KNOWLEDGE SYSTEMS mark has been in "continuous use since December 11, 1988" in connection with consulting services but offers no evidence except the minimal LinkedIn page (LinkedIn was launched in 2003). There is no convincing evidence that the Complainant is associated with this LinkedIn page. The Texas company that the Complainant refers to does not appear to have been active for decades. And there is no sign on this page or elsewhere of a business such as the Complainant describes commonly known by the initials "KS".

The Complaint attaches correspondence showing that it attempted to "update" the contact details for the disputed domain name with the Registrar. The Registrar's account recovery team declined to do so without a court order. As noted above, in corresponding with the Registrar, the Complainant misleadingly used an email address composed with the Respondent's name, "rakscyn", falsely suggesting an association with the Respondent. The Complaint attaches an email in which the Respondent supposedly replied to the Complainant on January 25, 2025, with the subject line "Get Back Your Domain KS.com", offering "the opportunity to reclaim it" for USD 3 million and stating, "Failure to do so may result in the public disclosure of certain sensitive information". That reply from the Respondent is signed by "Roberto" rather than "Robert" Akscyn. The Respondent denies sending this email and observes that it is a typed document not a photocopy of a Gmail (which can be readily observed by comparing it with actual Gmail emails). It is also dated a month before the Complainant claims that the Respondent "hijacked" the disputed domain name. The Panel concludes that this piece of evidence submitted with the Complaint is likely fraudulent.

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 the disputed domain name is identical or confusingly similar to its registered KNOWLEDGE SYSTEMS trademark and "trade name", which "KS" represents. "The initials "KS" are widely recognized as representing the Complainant, reinforcing its rightful ownership." ... "The Respondent's unauthorized acquisition suggests intent to exploit the brand's value and consumer recognition." The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name, as evidenced by its hijacking the disputed domain name from its long-time owner and not making any legitimate use of it. The Complainant denies any prior relationship with the Respondent but argues that the Respondent must have been aware of the Complainant's mark and the "KS" abbreviation widely associated with it, thus intending to extort money from the Complainant by hijacking the disputed domain name, as proven by the demand email from the Respondent.

B. Respondent

The Response, supported by over 100 exhibits, contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name. The Respondent argues that the Complainant is not an actual, existing company, is claiming under the Respondent's trademark registration that no longer exists, and never registered the disputed domain name or operated a corresponding website or LinkedIn page. The Respondent denies writing the supposed demand for USD 3 million to transfer the disputed domain name and demonstrates that the demand is not in the form of a genuine Gmail communication. In short, the Complaint is a fraud, and the Respondent requests a finding of Reverse Domain Name Hijacking.

6. Discussion and Findings

A. Identical or Confusingly Similar

The Panel finds the first element of the Policy has not been established. The registered trademark on which the Complainant relies was (a) registered to the Respondent not the Complainant and (b) cancelled in 2009. The Complainant cannot rely on an unregistered, common law mark, because the Complainant never convincingly identifies itself, falsely claims use of a mark on a website and social media site where all the evidence points to those sites being owned and controlled by others, and presents no evidence to support its claim that the Complainant itself has offered goods or services associated with a mark commonly known by the abbreviation "KS". Instead, on this record the Complainant appears to be simply an imposter and fraudster with no credible claim to a trademark or service mark providing standing under the Policy.

B. Rights or Legitimate Interests

Given the Panel's finding under the first element of the Complaint, it is unnecessary to enter a finding under the second.

C. Registered and Used in Bad Faith

Given the Panel's finding under the first element of the Complaint, it is unnecessary to enter a finding under the third.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

This is a compelling case for a finding that the Complaint was brought in bad faith and constitutes an abuse of the UDRP. This Complaint is replete with material omissions and outright lies, such as assuming the identity of nonexistent and defunct corporations, submitting a copy of the Respondent's (cancelled) trademark certificate, and claiming continuous use of a domain name, website, and social media site without proof that the Complainant ever controlled them. Moreover, it appears that the Complainant fabricated a document to make a spurious case for bad faith against the Respondent. A valuable and apparently dormant domain name makes a tempting target, and it is lamentable that a legitimate registrant should be put to the burden of defending against such an abuse of the administrative proceeding.

7. Decision

For the foregoing reasons, the Complaint is denied. Moreover, the Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: May 8, 2025