

## **ADMINISTRATIVE PANEL DECISION**

Syngenta Crop Protection AG v. akash ahmed  
Case No. D2025-1318

### **1. The Parties**

The Complainant is Syngenta Crop Protection AG, Switzerland, internally represented.

The Respondent is akash ahmed, United States of America (“United States”).

### **2. The Domain Name and Registrar**

The disputed domain name <syngenta-app.com> is registered with NameSilo, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 1, 2025. On April 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 1, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and its contact details.

The Center verified that 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 April 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 5, 2025.

The Center appointed Ahmet Akgüloğlu as the sole panelist in this matter on May 9, 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 a Swiss corporation of Basel, Switzerland. Syngenta is a global, science-based agtech company in 90 countries with the main purpose of bringing plant potential to life.

The Complainant owns the SYNGENTA trademark in several jurisdictions. International trademark number 732663, registered on March 8, 2000, designating various jurisdictions such as Iceland, Kenya, and United Kingdom, and United States trademark number 3036058, registered on December 27, 2005, are some of the Complainant's trademarks.

The Complainant also owns numerous domain names consisting of the SYNGENTA trademark. The Complainant claims that it owns the domain names <syngenta.com>, <syngentadigitalapps.com>, <syngenta.com.au>, <syngenta.fr>, <syngenta-us.com>, <syngenta.cn>, <syngenta.co>, <syngenta.co.uk>, <syngenta.de>, <syngenta.ru>, and <syngenta.vn>.

According to the Whois records, the disputed domain name was registered by the Respondent on March 12, 2025. When the Complaint was filed, the disputed domain name resolved to a login page displaying the Complainant's trademark and logo with agricultural imagery. At the time of drafting this Decision, the disputed domain names resolves to an active website; however, the website displays content advertising a gaming app.

#### 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;

(a) The disputed domain name is identical or confusingly similar to a trademark or services mark in which the Complainant has rights.

The Complainant argues that the disputed domain name is confusingly similar to the Complainant's earlier well-known SYNGENTA trademark. The Complainant states that the disputed domain name incorporates the entirety of the term SYNGENTA and is differentiated only by the addition of the term "app." According to the Complainant, the term "app" is a commonly used generic term for software applications and should be disregarded during the evaluation of confusing similarity. Therefore, it is clear that the domain name is intended to mislead the public into believing that it is owned by, or operated on behalf of, the Complainant.

(b) The Respondent has no rights or legitimate interests in respect of the domain name.

The Complainant claims that the Respondent has no affiliation with the Complainant, nor is the Respondent authorized to use the Complainant's registered trademark.

(c) The domain name was registered and is being used in bad faith.

The Complainant states that it has developed many mobile applications for its customers. Therefore, it is reasonable to assume that the disputed domain name would direct users to a website dedicated to its various applications. The Complainant further asserts that the design of the website associated with the disputed domain name uses the Complainant's trademark and logo, placing them over agricultural imagery in a manner that imitates the official website of the Complainant, thereby increasing the likelihood of confusion among the public. The Complainant underlines that the overall impression created by the website constitutes a deceptive attempt to mislead the public into believing that the website and its contents are

created or authorized by the Complainant. The Complainant further alleges that the website requests users' phone numbers under the guise of a "login" process, significantly increasing the risk posed by the website, as it may lead users to disclose their personal information. The Complainant further contends that the Respondent's use of a false address in the Whois information constitutes additional evidence of bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy requires that the complainant prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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.

The Panel will proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied in these proceedings.

### **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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. It is uncontested to the Panel that the Complainant has rights in SYNGENTA trademark as a result of their registrations in different jurisdictions.

The Panel finds the 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 disputed domain name is composed of "syngenta", "-", and "app". The disputed domain name includes the Complainant's SYNGENTA trademark in its entirety. When a domain name wholly incorporates a Complainant's registered trademark that is sufficient to establish confusing similarity for purposes of the Policy.

Although the addition of other terms here, "app" may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

UDRP panels find that the addition of other terms to a mark whether descriptive, geographical, pejorative, meaningless, or otherwise, will not prevent a finding of confusing similarity under the first element (see section 1.8 of the [WIPO Overview 3.0](#)).

The Panel also ignored the generic Top-Level Domain ".com" since it is viewed as a standard registration requirement and disregarded under the first element similarity test (see [WIPO Overview 3.0](#), section 1.11.1).

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 evidence presented demonstrates that the Complainant is the owner of multiple registrations for SYNGENTA trademark used in the disputed domain name. It is accepted by the Panel that the Respondent has not been authorized by the Complainant to use the SYGENTA trademark.

Even though the burden of proof is usually on the Complainant, the Panel recognizes and understands the difficulty of proving a negative. Therefore, the Complainant presents a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

Considering that the Respondent did not provide any evidence regarding its legitimate rights in the disputed domain name or any trademark registration containing “syngenta” term, the use of the disputed domain name as described below cannot qualify as use of the domain name or a name corresponding to the domain name in connection with any bona fide offering of goods or services.

Panels have held that the use of a domain name for illegal activity here, claimed, impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Although the disputed domain name currently resolves to a page displaying advertisements, as evidenced in Annexes 4 and 5 to the Complaint, it previously directed users to a website that included a login form together with the Complainant’s trademark and logo and requested phone number information from visitors. Accordingly, the Panel finds that the disputed domain name was registered with the intent to deceive Internet users into disclosing personal information, phone numbers, by exploiting the reputation and credibility of the Complainant. The use of agricultural imagery on the Respondent’s website further reinforces this finding.

The Panel also finds that the Respondent is using the website for potentially fraudulent and impersonation purposes and the Respondent has not submitted any evidence to prove its bona fide usage of the disputed domain name. Noting that the disputed domain name incorporates the Complainant’s trademark together with the term “app”, and that the Complainant also offers mobile applications, it is clear that the Respondent has attempted to mislead Internet users into disclosing their personal information, such as phone numbers, by impersonating the Complainant. The Respondent’s use of the SYNGENTA trademark and logo on the website further supports this conclusion.

Based on the facts presented in the Complaint, the Panel determines that the use of the disputed domain name, which integrates the Complainant's trademark and implies an affiliation with the Complainant, does not correspond to the legitimate noncommercial or fair use of the disputed domain name under the Policy.

For the above reasons, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

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.

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.

The Panel accepts that the Complainant is the owner of several registered SYNGENTA trademarks and is well known in its respected sector. The Panel finds that the Respondent has registered and is using the disputed domain in bad faith. Registration of the disputed domain name by the Respondent was on March 12, 2025 which is years after the first SYNGENTA trademark registration on March 8, 2000.

The Panel finds it more likely than not, noting in particular the use to which the disputed domain had been put, that the Complainant's trademarks were known to the Respondent at the time of registration of the disputed domain name. Thus, the Panel accepts that the Respondent was aware of the Complainant's trademark but still decided to use it in the disputed domain name. The disputed domain name has in the Panel's view been chosen because of its confusing similarity with a trademark in which the Complainant has rights.

The Panel finds that the Respondent registered the disputed domain name solely to create an impression of association with the Complainant. Upon reviewing Annexes 4 and 5 to the Complaint, which contain screenshots of the associated website submitted by the Complainant, the Panel considers that the Respondent knowingly registered the disputed domain name in order to benefit from the Complainant's sectoral recognition. By openly using images featuring the Complainant's trademark and logo on the website, the Respondent has clearly demonstrated an intent to create confusion among Internet users.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. The Respondent's use of the SYNGENTA trademark and logo on its website confirms that the Respondent was aware of the SYNGENTA mark and is attempting to appear as the Complainant in the eyes of users.

The Panel also accepts that the Respondent has registered the disputed domain name with the aim to impersonate the Complainant to deceive Internet users into sharing their personal information. Considering the above, it is clear that the Respondent registered and used the disputed domain name in bad faith to take advantage of the Complainant's trademark.

The Panel finds that the disputed domain name itself is inherently misleading and likely to cause confusion among Internet users.

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 <syngenta-app.com> be transferred to the Complainant.

*/Ahmet Akgülođlu/*

**Ahmet Akgülođlu**

Sole Panelist

Date: May 23, 2025