

ADMINISTRATIVE PANEL DECISION

Scrum Alliance, Inc. v. Jeremi Kwas
Case No. D2025-1726

1. The Parties

The Complainant is Scrum Alliance, Inc., United States of America (“United States”), represented by Frankfurt Kurnit Klein & Selz, PC, United States.

The Respondent is Jeremi Kwas, Bulgaria.

2. The Domain Name and Registrar

The disputed domain name <certified-scrummaster.com> (the “Domain Name”) is registered with OVH, SAS (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on April 29, 2025. On April 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 30, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. On May 13, 2025, the Center sent an email communication to the Complainant, providing the registrant and contact information disclosed by the Registrar, as well as the Registrar’s identity information, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint in English on May 19, 2025.

On May 13, 2025 the Center informed the Parties in Polish and English, that the language of the Registration Agreement for the Domain Name is Polish. On May 19, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in English and Polish of the Complaint, and the proceedings commenced on May 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 12, 2025.

The Center appointed Piotr Nowaczyk as the sole panelist in this matter on June 17, 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, founded in 2001, is a global non-profit organization that provides education, training, and certifications for professionals practicing Agile and Scrum methodologies. Agile refers to a collaborative and adaptive project management philosophy, with Scrum being one of its most widely used frameworks. Scrum assigns specific roles such as the product owner, development team, and Scrum master, and defines how work is structured and completed within fixed timeframes. The Complainant is the leading certification body in this field, with over 1.8 million certifications granted worldwide. One of its most recognized certifications is CERTIFIED SCRUMMASTER, which signifies successful completion of a rigorous training and assessment program, and is widely regarded as a benchmark of excellence across industries.

The Complainant is the owner of numerous CERTIFIED SCRUMMASTER trademark registrations, including:

- the United States Trademark Registration for CERTIFIED SCRUMMASTER (word) No. 3738535, registered on January 19, 2010;
- the Australian Trademark Registration for CERTIFIED SCRUMMASTER (word) No. 1742206, registered December 17, 2015; and
- the United Kingdom Trademark Registration for CERTIFIED SCRUMMASTER (word) No. UK00002508370, registered on February 4, 2011.

The Domain Name was registered on June 28, 2024.

As of the date of this Decision, as well as at the time of submitting the Complaint, the Domain Name has not resolved to any 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 Domain Name.

First, the Complainant contends that the Domain Name is confusingly similar to the trademark in which the Complainant has rights.

Second, the Complainant argues that the Respondent has neither rights nor legitimate interests in the Domain Name.

Third, the Complainant submits that the Domain Name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issues – Language of the Proceeding

The language of the Registration Agreements for the Domain Name is Polish. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English, primarily because the Domain Name is an English term. Accordingly, the Complainant submits that the Respondent appears to have a familiarity with the English language.

The Respondent did not comment on the Complainant's request for the language of the proceeding be English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time, and costs. See section 4.5.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

The Panel finds that substantial additional expense and delay would likely be incurred if the Complaint had to be translated into Polish. Moreover, the Panel notes that the Respondent did not comment or let alone object to the Complainant's arguments concerning the language of the proceeding.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Matters – Three Elements

Paragraph 4(a) of the Policy places a burden on the Complainant to prove the presence of three separate elements, which can be summarized as follows:

- (i) the 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 the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

The requested remedy may only be granted if the above criteria are met. At the outset, the Panel notes that the applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence". See section 4.2 of the [WIPO Overview 3.0](#).

A. Identical or Confusingly Similar

Under the first element, the Complainant must establish that the Domain Name is identical or confusingly similar to the trademark in which the Complainant has rights.

The Complainant holds valid CERTIFIED SCRUMMASTER trademark registrations. The Domain Name incorporates this trademark in its entirety. As numerous UDRP panels have held, incorporating a trademark in its entirety is sufficient to establish that a domain name is identical or confusingly similar to that trademark. See *PepsiCo, Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I.) and EMS COMPUTER INDUSTRY (a/k/a EMS)*, WIPO Case No. [D2003-0696](#).

The Domain Name differs from the Complainant's CERTIFIED SCRUMMASTER trademark only by the addition of a hyphen between the terms "certified" and "scrummaster." The mere insertion of a hyphen does not prevent a finding of confusing similarity between the Domain Name and the Complainant's trademark. See section 1.8 of the [WIPO Overview 3.0](#).

The Top-Level Domain ("TLD") ".com" in the Domain Name is viewed as a standard registration requirement and as such is typically disregarded under the first element test. See section 1.11.1 of the [WIPO Overview 3.0](#).

Given the above, the Panel finds that the Domain Name is confusingly similar to the Complainant's CERTIFIED SCRUMMASTER trademark for purposes of the Policy. In sum, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Under the second element, the Complainant must prove that the Respondent has no rights or legitimate interests in the Domain Name. 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. [WIPO Overview 3.0](#), section 2.1.

A right or legitimate interest in the Domain Name may be established, in accordance with paragraph 4(c) of the Policy, if the Panel finds any of the following circumstances:

- (i) that the Respondent has used or made preparations to use the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that the Respondent is commonly known by the Domain Name, even if the Respondent has not acquired any trademark rights; or
- (iii) that the Respondent is making a legitimate noncommercial or fair use of the Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

Although given the opportunity, the Respondent has not submitted any evidence indicating that any of the circumstances foreseen in paragraph 4(c) of the Policy are present in this case.

On the contrary, it results from the evidence on record that the Complainant's CERTIFIED SCRUMMASTER trademark registration predates the Respondent's registration of the Domain Name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the CERTIFIED SCRUMMASTER trademark or to register the Domain Name incorporating this trademark. There is also no evidence to suggest that the Respondent has been commonly known by the Domain Name.

Moreover, it results from the evidence on record that the Respondent does not make use of the Domain Name in connection with a bona fide offering of goods or services, nor does it make a legitimate noncommercial or fair use of the Domain Name. On the contrary, at the time of submitting the Complaint and as of the date of this Decision, the Domain Name has not resolved to any active website. In fact, it does not result from the case evidence that the Domain Name has been used in any active way to date.

Furthermore, the Panel finds that the composition of the Domain Name, which incorporates the Complainant's trademark with the addition of a hyphen, carries a risk of implied affiliation. See section 2.5.1. of the [WIPO Overview 3.0](#).

Given the above, there are no circumstances in the evidence on record which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests of the Respondent in respect of the Domain Name. Thus, there is no evidence in the case record that refutes the Complainant's prima facie case. In sum, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under the third element, the Complainant must prove that the Domain Name has been registered and is being used in bad faith.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1 of the [WIPO Overview 3.0](#).

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use includes, without limitation:

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

As indicated above, the Complainant's rights in the CERTIFIED SCRUMMASTER trademark predate the registration of the Domain Name. This Panel finds that the Respondent was or should have been aware of the Complainant's trademark at the time of registration. This finding is supported by the composition of the Domain Name, which consists exclusively of the CERTIFIED SCRUMMASTER trademark with the mere addition of a hyphen. Moreover, it has been proven to the Panel's satisfaction that the Complainant's CERTIFIED SCRUMMASTER trademark is well-known and unique to the Complainant. Thus, the Respondent could not reasonably ignore the reputation of goodwill under this trademark. In sum, the Respondent, more likely than not, registered the Domain Name with the expectation of taking advantage of the reputation of the Complainant's CERTIFIED SCRUMMASTER trademark.

Moreover, as of the date of this Decision, as well as at the time of submitting the Complaint, the Domain Name has not resolved to any active website. Considering the overall circumstances of this case, the Panel finds that the Respondent's passive holding of the Domain Name does not prevent a finding of bad faith. As numerous UDRP panels have held, passive holding, under the totality of circumstances of the case, would not prevent a finding of bad faith under the Policy. See section 3.3 of the [WIPO Overview 3.0](#). Here, given the well-known nature of the Complainant's trademark, the composition of the Domain Name, the Respondent's failure of filing any response, and the implausible good faith use to which the Domain Name may be intrinsically put, the Panel agrees with the above.

For the reasons discussed above, the Panel finds the third element of the Policy has been established.

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 Domain Name <certified-scrummaster.com> be transferred to the Complainant.

/Piotr Nowaczyk/

Piotr Nowaczyk

Sole Panelist

Date: July 1, 2025