

ADMINISTRATIVE PANEL DECISION

Syngenta Crop Protection AG v. sentio kyle
Case No. D2025-1882

1. The Parties

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

The Respondent is sentio kyle, Philippines.

2. The Domain Name and Registrar

The disputed domain name <syngenta-ph.com> is registered with Cosmotown, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 13, 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 (Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 14, 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 amendment to the Complaint on May 20, 2025.

The Center verified that the Complaint together with the amendment to 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 May 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 11, 2025.

The Center appointed Federica Togo as the sole panelist in this matter on June 16, 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

It results from the Complainant's undisputed allegations that it is a Swiss Corporation of Basel, Switzerland and is a global, science-based agtech company with around 30,000 employees in 90 countries circa. Its products include agrochemicals for crop protection as well as vegetable and flower seeds.

The Complainant and its affiliates are the registered owner of several trademarks worldwide for SYNGENTA. In particular, the Complainant's affiliate company Syngenta Participations AG is the registered owner of International trademark registration No. 732663 SYNGENTA (word), registered on March 8, 2000 for goods and services in classes 1, 2, 5, 7, 8, 9, 10, 16, 29, 30, 31, 32, 35, 36, 41, and 42 designating several countries, amongst others Germany; Philippines trademark registration No. 4/2001/00000296 SYNGENTA registered for goods and services in classes 1, 5, 31, and 42.

It uses the domain name <syngenta.com> to advertise and promote its products. It also uses the domain name <syngenta.com.ph> for its official website in the Philippines.

The disputed domain name was registered on April 10, 2025.

Furthermore, the undisputed evidence provided by the Complainant proves that the disputed domain name resolved to a website displaying in a prominent way the Complainant's SYNGENTA mark, and requiring a user's phone number and password to log in.

Finally, the Complainant sent a cease and desist letter to the Respondent on April 14, 2025. The Respondent did not reply to it.

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 <syngenta-ph.com>, is confusingly similar to the trademark SYNGENTA. In fact, it contains the trademark SYNGENTA in whole and is only differentiated from our well-known mark by the geographical abbreviation for the Philippines "ph".

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent has no affiliation with the Complainant nor is the Respondent authorized to use Complainant's registered trademark.

Finally, the Complainant contends that the disputed domain name was registered and was being used in bad faith. According to the Complainant, "ph" is a common abbreviation for the country Philippines and it has robust business in the Philippines. Therefore, individuals could reasonably assume that the disputed domain name would lead to a website for its local company. The disputed domain name was originally pointing to an active website, whose design magnified confusion because it used Complainant's trademark above the tag line "[f]armers are our priority and their success is our success". In addition, the background was a partial picture of a plant. The overall effect was an attempt to mislead the public into believing that the website and its content were created or authorized by the Complainant. In addition, the fraudulent website solicited phone numbers from the public under the guise of a "login" process. This impersonation of its business significantly increased the risk posed by the website, as it may have led unsuspecting individuals to disclose personal information under the false impression that they were interacting with the legitimate organization.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “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”. Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that each disputed domain name 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 therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

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.

In accordance with section 1.4.1 of [WIPO Overview 3.0](#), as the company Syngenta Participations AG that is the owner of the SYNGENTA registration mentioned above in the Factual Background is an affiliate of the Complainant, the Panel considers that the Complainant has standing to bring this UDRP proceeding.

The entirety of the mark is reproduced 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.

Although the addition of other terms here, “ph” (preceded by a hyphen), 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.

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.

Moreover, the Panel notes that the disputed domain name contains the Complainant's registered trademark entirely and the geographic abbreviation "ph", standing for "Philippines". The nature of this disputed domain name carries a risk of implied affiliation: in fact, geographic terms are seen as tending to suggest sponsorship or endorsement by the trademark owner, see [WIPO Overview 3.0](#) at section 2.5.1.

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.

One of these circumstances is that the Respondent by using the disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy).

In the present case, the Panel notes that it results from the Complainant's documented allegations that the disputed domain name resolved to a website displaying without authorization the Complainant's registered trademark, and requiring a user's phone number and password to log in.

By the time the disputed domain name was registered, the Panel considers it to be unlikely that the Respondent did not have knowledge of the Complainant and its mark (entirely included in the disputed domain name), which has been existing by many years at the time the disputed domain name was registered. Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent also knew that the disputed domain name included the Complainant's trademark when it registered 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.

In this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the Panel's findings that the Respondent has registered and is using the disputed domain name in bad faith:

- (i) the nature of the disputed domain name (wholly incorporating the Complainant's mark followed by the geographical abbreviation "ph");
- (ii) the content of the website to which the disputed domain name resolved (i.e. displaying without authorization the Complainant's registered trademark, and requiring a user's phone number and password to log in);
- (iii) a clear absence of rights or legitimate interests coupled with no response for the Respondent's choice of the disputed domain name;

(iv) the Respondent has provided false or incomplete contact details when registering the disputed domain name (the courier service was not able to deliver the Written Notice); and

(v) the Respondent did not reply to the cease-and-desist letter.

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-ph.com> be transferred to the Complainant.

/Federica Togo/

Federica Togo

Sole Panelist

Date: June 30, 2025