

## **ADMINISTRATIVE PANEL DECISION**

Lonza Ltd v. DNS Administrator, Cykon Technology Limited  
Case No. D2025-2392

### **1. The Parties**

The Complainant is Lonza Ltd, Switzerland, represented by Greer, Burns & Crain, Ltd., United States of America (“United States”).

The Respondent is DNS Administrator, Cykon Technology Limited, Hong Kong, China, represented internally.

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

The disputed domain name <lonzs.com> is registered with INTERNETX GMBH (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 18, 2025. On June 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 23, 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 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 June 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 18, 2025. The Response was filed with the Center on July 18, 2025.

The Center appointed John Swinson as the sole panelist in this matter on July 23, 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 that is one of the leading companies providing manufacturing services to the pharmaceutical, biotech, and nutrition markets. The Complainant had revenues of over USD 6.5 billion in 2024.

The Complainant began using LONZA in 1897 and has trademark registrations for LONZA dating to 1913 in Switzerland. The Complainant has trademark registrations in many jurisdictions, including in Hong Kong, China, and the United States. For example, the Complainant owns United States Trademark Registration Number 956,300 for LONZA that has a registration date of April 3, 1973.

The Complainant's website is located at <lonza.com>.

The disputed domain name was registered on April 27, 2018.

The Respondent is a corporation incorporated pursuant to the laws of Hong Kong, China. The Respondent was incorporated on January 8, 1997, and changed its name on July 20, 2001. The Respondent is engaged in the import and sale of consumer goods and also invests in domain names.

At the time the Respondent registered the disputed domain name in 2018, the Respondent also registered 16 other domain names, all but one being a five-letter domain name. As of the date of the submission of the Response, the Respondent had been unable to sell any of these domain names.

At one time, the website at the disputed domain name included the text: "LONZS.COM Contact us for any business inquiries", and a "contact us" form. At the present time, the disputed domain name does not resolve to an 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 disputed domain name.

In summary, the Complainant makes the following submissions:

The disputed domain name comprises the Complainant's LONZA trademark with the intentional typo that switches the letter "a" with a neighboring letter on the keyboard, "s". Relevant consumers will likely be and have already been confused into believing that there is a connection of source, sponsorship, affiliation or endorsement between the Complainant's LONZA trademark and the Respondent by the Respondent's use of the disputed domain name.

The Respondent is using the disputed domain name to falsely hold itself out as being associated with the Complainant and the Complainant's products causing confusion. The Respondent has incorporated nearly the entirety of the Complainant's name, Lonza, using a common misspelling integrated into the disputed domain name. The Respondent's actions in connection with the disputed domain name are not a bona fide offering of goods or services.

Given the lack of substantive information on the webpage at the disputed domain name, it appears the disputed domain name is not connected to an active website or the equivalent, in spite of being registered nearly seven years ago.

The Respondent engaged in bad faith registration and use of the disputed domain name. The Respondent registered the disputed domain name primarily for the purpose of creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement.

Typosquatting, such as the substitution of a letter with the neighboring letter on a keyboard, is evidence that the Respondent was aware of and sought to impersonate the Complainant when it registered the disputed domain name. Given the Complainant's rights in the LONZA trademark and the Respondent's use of the Complainant's LONZA mark in the disputed domain name, the Respondent must have been aware of the Complainant and its rights in the LONZA mark. As such, bad faith can be reasonably inferred.

Bad faith can also be shown by pattern of abusive conduct, including "where the respondent registers, simultaneously or otherwise, multiple trademark-abusive domain names corresponding to the distinct marks of individual brand owners." [WIPO Overview 3.0](#), section 3.1.2. The Respondent has been found to have engaged in improperly registering and using domain names which incorporate other brand owner's marks in at least four cases prior to this proceeding.

## **B. Respondent**

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

In summary, the Respondent makes the following submissions:

In respect of the first element of the Policy, the disputed domain name must be more than merely "similar"; it must be "confusingly similar". On one hand the disputed domain name includes four letters corresponding to the Complainant's mark, but on the other hand, the different ending letters makes the mark and the disputed domain name somewhat different, such that the required element under the first element, i.e., "confusion", may be missing and thereby rendering the disputed domain name and the mark are as "similar", but not "confusingly" so.

The business of offering non-infringing domain names for sale is well established as a legitimate interest under the Policy.

The "contact us for any business inquiries" page has been displayed for over seven years, however not a single submission or email has been received.

The Respondent had unintentionally and innocently registered domain names which were found to be confusingly similar to trademarks. However, from the very few exceptional cases out of the tens of thousands of self-invented non-infringing domain names being registered by the Respondent over the past two decades, again whether the Respondent engages in "typosquatting routinely" is subject to strict proof. The Respondent strongly denies the false allegations made by the Complainant.

In the present case, the Respondent states "there is not a scintilla of evidence that the Respondent was actually aware of the Complainant or its marks, nor any evidence upon which to even infer awareness. The Complainant provided very little evidence of any reputation in the general public's eye".

The Complainant has failed to demonstrate that its mark was famous international such that the Respondent could be presumed to have been aware of the Complainant.

With the tens of thousands of short five-letter domain names being currently registered by the Respondent in good faith, it is unfortunate that four out of tens of thousands of domains was unintentionally created (in over 20 years of business) and considered confusingly similar to the respective mark. However, the extremely low probability of “confusingly similar” cases reflects the registering of all domain names by the Respondent were done carefully and responsibly to the best knowledge. All domain name brands were invented and created in good faith.

The Respondent has never heard of the Complainant’s mark or company before the proceeding, so typosquatting would not be possible to target the Complainant.

The problem with creating five-letter randomly invented domain names for unique brands is that there are already a lot of short famous brands around the world. One must do a lot of research to avoid being “confusingly similar” to those brands, and sometimes this is more of an art than a science due to the short length. In general, the longer the name, the more the uniqueness. However, companies tend to prefer shorter brands, so the Respondent invested in a lot of five-letter wildly randomly invented brandable domain names, unfortunately without much luck in selling many..

### **C. Supplemental Submissions**

After the Panel had prepared and provided this decision to the Center, the Complainant filed a supplemental submission on August 2, 2025. The Respondent then filed a supplemental submission in response on August 4, 2025.

The Panel does not accept such additional submissions. Paragraphs 10 and 12 of the Rules grant the Panel sole discretion to determine the admissibility of unsolicited supplemental filings. While paragraph 10(d) states that: “The Panel shall determine the admissibility, relevance, materiality and weight of the evidence”, paragraph 12 provides that: “In addition to the complaint and the response, the Panel may request, in its sole discretion, further statements or documents from either of the Parties”. As a general matter, unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. The Complainant has not shown reasons that convince the Panel that a supplemental submission is warranted or that there are exceptional circumstances in this case. Moreover, a large part of the Complainant’s supplemental submission was directed to the second element of the Policy, which the Panel does not need to decide to reach a conclusion. Further, the Complainant’s supplemental submission (even if allowed by the Panel) does not demonstrate why the Respondent registered the disputed domain name knowing of the Complainant or its trademark or that the Respondent registered the disputed domain name to take advantage of the Complainant’s trademark or its reputation. Many of the arguments made in the Complainant’s supplemental submission could have been addressed in the original Complaint. For example, the Complainant made arguments in its supplemental submission that the Respondent “had the affirmative obligation to conduct searches on the available online databases and has provided no evidence that it took any initiative to search or conducted any pre-registration search. For example, a search of the WIPO global brand database on or before April 27, 2018, would have located the majority of the Complainant’s LONZA Trademark registrations”.

This argument – and putting aside an assessment of how it impacts, or not, the case merits – could have been made in the original Complaint.

The Complainant has made no showing of exceptional circumstances. Consequently, the Panel does not consider the Complainant’s supplemental filing nor the Respondent’s additional Response.

## 6. Discussion and Findings

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

- (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.

The onus of proving these elements is on the Complainant.

An asserting party needs to establish that it is, more likely than not, that the claimed fact is true. An asserting party cannot meet its burden by simply making conclusory statements unsupported by evidence. To allow a party to merely make factual claims without any supporting evidence would essentially eviscerate the requirements of the Policy as both complainants or respondents could simply claim anything without any proof. For this reason, UDRP panels have generally dismissed factual allegations that are not supported by any bona fide documentary or other credible evidence. *Captain Fin Co. LLC v. Private Registration, NameBrightPrivacy.com / Adam Grunweg*, WIPO Case No. [D2021-3279](#).

### 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.

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 Respondent made detailed arguments as to why it thought the term "lonzs" would not be confusingly similar to the Complainant's LONZA mark; these largely misunderstand the nature of the enquiry here, which is not about likelihood of confusion.

There is one letter difference between "lonzs" and "lonza". The letters "s" and "a" are adjacent on most English keyboards.

Taking into account that the first element of the Policy functions as a standing requirement, and that the disputed domain name contains plainly recognizable aspects of the LONZA trademark, the Panel finds for the Complainant on this element.

The Panel finds the first element of the Policy has been established.

### B. Rights or Legitimate Interests

In view of the Panel's decision on the third element of the Policy, the Panel does not need to decide the second element.

### C. Registered and Used in Bad Faith

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.

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark (usually) owned by the complainant.

The evidence in the case file as presented does not indicate that the Respondent's aim in acquiring the disputed domain name was to profit from or exploit the Complainant's trademark.

The Respondent states, in a sworn statement of its founder and CEO, that the Respondent was not aware of the Complainant when the Respondent registered the disputed domain name. Although the Complainant has been using the LONZA trademark for over 100 years, the materials in the case file suggest that the Complainant's reputation appears to be directed at manufacturing for pharmaceutical and biotech companies, and not a consumer-facing brand. The Complainant has trademark registrations in Hong Kong, China, where the Respondent is located, but provided no evidence of its reputation there. Accordingly, it is not entirely improbable that the Respondent was unaware of the Complainant when the Respondent registered the disputed domain name.

The Complainant asks the Panel to draw the inference that the Respondent must have been aware of the Complainant because there is only one letter difference between the disputed domain name and the Complainant's mark, that these letters are adjacent on computer keyboards, and accordingly that the Respondent is engaged in typosquatting. There is no evidence that the Respondent has used the disputed domain name for typical typosquatting e.g., traffic generation or proscribed purposes.

In response, the Respondent asserts that it registered 15 other five-letter domain names at the same time as registering the disputed domain name, that these domain names are not trademarked terms, and they are mostly gibberish. Examples include <acwar.com>, <fihad.com>, and <xikor.com>. The Respondent states that "all of these Domain Names which were registered by Respondent at the very same time, are random combinations of five English letters that could with a bit of luck, be of interest to someone looking for a unique domain name to adopt as a brand. Somewhat less charitably, each of these domain names is essentially gibberish, but in any event, NONE correspond to any known brand at the time of the registration." See *GUTEX Holzfaserplattenwerk H. Henselmann GmbH + Co. KG v. Super Privacy Service LTD c/o Dynadot, Tech Ops SyncPoint, Inc./ Mr. David Lahoti*, WIPO Case No. [D2025-1056](#); and *Venderstorm Ventures GmbH & Co. KG v. Domain Administrator, PTB Media Ltd*, WIPO Case No. [D2024-1287](#).

On the evidence before the Panel, the Panel finds that the Complainant has not met its burden of proof to demonstrate that the Respondent registered the disputed domain name to take advantage of the Complainant or its reputation.

The Respondent has not used the disputed domain name in any material way. There is no evidence that the attempted to sell or market the disputed domain name. While if there was evidence on either or both of these points, the case could turn out differently, there is not, and in the circumstances, the Complainant has no direct evidence of bad faith use of the disputed domain name by the Respondent.

The Complainant asserts a pattern of abusive conduct by the Respondent. The Respondent has been involved in ten prior cases under the Policy. The Respondent was unsuccessful in four of these cases, and was successful in six cases (including with findings of reverse domain name hijacking). This record does not demonstrate a pattern of bad conduct by the Respondent. Of course, losing in a prior UDRP or court case would not mean one is always in bad faith and prevailing in a prior UDRP or court case does not immunize a respondent from a bad faith finding in a later case, as the facts of each case must be considered on their own. *TranScrip Partners LLP, TranScrip Limited v. Abstract Holdings International Ltd, Domain Admin*,

WIPO Case No. [D2021-2220](#). Moreover, the Complainant has not provided evidence that the Respondent currently has a practice of registering the trademarks of others as domain names or that the Respondent currently owns other domain names that correspond to third party brands. *So Bold Limited v. TechOps, VirtualPoint Inc.*, WIPO Case No. [D2022-1100](#).

Based on the available record, the Panel finds the third element of the Policy has not been established.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

/John Swinson/

**John Swinson**

Sole Panelist

Date: August 6, 2025