

ADMINISTRATIVE PANEL DECISION

The Knowledge Academy Holdings Limited v. Amy Tuteru,
the-knowledge-academy.com
Case No. D2025-3279

1. The Parties

The Complainant is The Knowledge Academy Holdings Limited, United Kingdom, represented by Michelmores LLP, United Kingdom.

The Respondent is Amy Tuteru, the-knowledge-academy.com, New Zealand.

2. The Domain Name and Registrar

The disputed domain name <the-knowledge-academy.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 15, 2025. On August 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 15, 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 (Unknown Persons, the-knowledge-academy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Respondent sent an email communication to the Center on August 19, 2025. The Complainant filed an amended Complaint on August 20, 2025.

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 of the Complaint, and the proceedings commenced on August 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 14, 2025. On September 16, 2025, the Center informed the Parties that it would proceed to panel appointment.

The Center appointed Jeremy Speres as the sole panelist in this matter on September 22, 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 the holding company of The Knowledge Academy Limited, which has, since 2009, provided training solutions to corporates, the public sector, multinational organizations and private individuals under the trademark THE KNOWLEDGE ACADEMY. The Complainant's mark has been recognised as being well known by prior panels under the Policy. See, for example, *The Knowledge Academy Ltd v. Domains By Proxy, LLC / Be Knowledge Allah, Be Knowledge Academy*, WIPO Case No. [D2022-1046](#). The Complainant operates a website at the domain name <theknowledgeacademy.com>.

The Complainant's mark is registered in various jurisdictions, including International Trademark Registration No. 1269174 THE KNOWLEDGE ACADEMY, registered on April 22, 2015, in classes 9, 16, 35, and 41, designating the Respondent's jurisdiction of New Zealand, amongst others.

The disputed domain name was registered on June 19, 2025, and currently does not resolve to an active website. The Complainant's evidence establishes that the disputed domain name previously resolved to an "Under Construction" 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.

Notably, the Complainant contends that the disputed domain name was registered and has been used in bad faith given that there is no conceivable good faith use of the disputed domain name in light of the reputation of the Complainant's mark and the absence of any use of the disputed domain name for any legitimate purpose.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. In the Respondent's informal response, they stated: "I also wish to clarify that the respondent contact information originally submitted. Specifically the email address was not authentic. I acknowledge that providing inaccurate information, even unintentionally, was inappropriate and I regret this misstep."

6. Discussion and Findings

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 disputed domain name is confusingly similar to the Complainant's mark. It is well established that minor omissions of punctuation do not sufficiently alter a trademark to prevent a finding of confusing similarity.

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 disputed domain name is nearly identical to the Complainant's mark and the Complainant's official domain name <theknowledgeacademy.com>, and there is no evidence of any legitimate use of the disputed domain name in the record. The disputed domain name resolved to a page "Under Construction", inviting visitors to "check back for an update soon". The Respondent has not provided any explanation as to its planned use of the disputed domain name. Noting the lack of any substantive Response putting forward a legitimate non-infringing purpose and the Complainant's online presence, the Panel concludes it is more likely than not that by registering the disputed domain name the Respondent has intended to capitalize on the reputation and goodwill inherent in the Complainant's THE KNOWLEDGE ACADEMY trademark.

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.

In this case, the disputed domain name is nearly identical to the Complainant's well-known mark.

Internet searches for the second-level portion of the disputed domain name, as well as the Complainant's mark, return results overwhelmingly relating to the Complainant. As such, and in light of the repute of the Complainant's mark, the composition of the domain name, and the absence of any explanation by the Respondent for its choice of the domain name, the Panel finds it more probable than not that the disputed domain name was registered in the knowledge of the Complainant's mark and with intent to target it.

The Panel draws an adverse inference from the Respondent's failure to meaningfully take part in the present proceedings where an explanation is certainly called for. [WIPO Overview 3.0](#), section 4.3.

For completeness, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available

record, the Panel notes the reputation of the Complainant's trademark, the absence of a substantive Response and the composition of the disputed domain name, and finds that in the circumstances of this case, the passive holding of the disputed domain name does not prevent a finding of bad faith under 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 <the-knowledge-academy.com> be transferred to the Complainant.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: September 26, 2025