

ADMINISTRATIVE PANEL DECISION

KILN v. SophiU and Sophie

Case No. D2025-3347

1. The Parties

The Complainant is KILN, France, represented by Nameshield, France.

The Respondents are SophiU, United States of America; and Sophie, United States of America.

2. The Domain Names and Registrar

The disputed domain names <kilnstaking.cc>, <kilnstaking.org>, <kilnstaking.top>, and <kilnstaking.vip> are registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 20, 2025. On August 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 21, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 3, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar(s), requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed the amended Complaints on September 4, 2025.

The Center verified that the Complaint together with the amended Complaints 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 Respondents of the Complaint, and the proceedings commenced on September 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on September 29, 2025.

Due to an apparent issue with the notification, on October 8, 2025, the Center informed the Respondents that they would have until October 13, 2025 to indicate to the Center whether they would like to submit a response. No communication was received from the Respondent.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on October 15, 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 company engaged in digital asset services, providing reward solutions for users of e-wallets, exchanges and other cryptocurrency platforms, and offering an enterprise-grade yield management platform for institutional customers.

The Complainant is the owner of the following trademark registration:

International trademark KILN N° 1791986, registered on February 26, 2024, covering International Classes 9, 36, and 42.

The disputed domain names were registered in 2025 on the following dates: <kilnstaking.vip> on August 1; <kilnstaking.cc> on August 5; <kilnstaking.org> on August 8; and <kilnstaking.top> on August 13. They all resolve to the same websites displaying the KILN trademark and logo, with a layout, color scheme and design similar to the Complainant's official website at "www.kiln.fi", and purportedly offering a smart AI-based fund management system automatically accumulates and distributes incoming investments and their payouts.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to its registered trademark KILN, and that the mere addition of generic terms to a trademark in a domain name is insufficient to avoid a finding of confusing similarity. The Complainant also contends that the term "staking" refers to its activity ("Staking is a way to earn rewards by putting your crypto to work on a blockchain network.").

The Complainant further contends that the Respondents have no rights or legitimate interests in respect of the disputed domain names, is not commonly known by them, and has no direct or indirect relationship or association with the Complainant, which has not authorized the Respondents to use the KILN trademark or to register the disputed domain names.

The Complainant contends that the Respondents registered and are using the disputed domain names in bad faith. According to the Complainant, the Respondents use the disputed domain names to pass themselves off as the Complainant and to offer unauthorized or counterfeit versions of the Complainant's products. The Complainant further contends that the Respondents registered the disputed domain names with actual knowledge of the Complainant's trademark, which together with its logo is reproduced on the corresponding websites.

B. Respondents

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) that the disputed domain names have been registered and are being used in bad faith.

The Respondents' default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that "[i]f a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint".

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondents' failure to submit a response as it considers appropriate.

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or merely alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not object to the Complainant's consolidation request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

With respect to common control, the Panel notes that all of the disputed domain names were registered within a short period of time, that the registrant names and their email addresses are substantially identical, and that the contact details (the postal address and telephone number) are the same. In addition, the disputed domain names resolve to the same websites.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

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 names. [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 names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the term “staking” 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 names 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has clearly stated that the Respondent has no connection with them and has not been granted any authorization or license to use the KILN trademark or to register domain names containing it. Additionally, there is no indication that the Respondent has any association with the KILN mark, nor any evidence suggesting that the Respondent has ever been commonly known by the disputed domain names. (see [WIPO Overview 3.0](#), section 2.3).

The Panel notes that the disputed domain names resolve to the same websites displaying the Complainant’s KILN trademark and logo, using the same typographic style, colour scheme, and overall layout as the Complainant’s official website. Panels have held that the use of a domain name for illegal activity, including impersonation, passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Moreover, given that the term “staking” is commonly associated with cryptocurrency services, and that the Complainant operates in the digital asset sector, its inclusion in the disputed domain names may increase the likelihood of confusion among Internet users by suggesting an affiliation or connection with the Complainant.

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 the present case, the Panel notes that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the complainant's mark, which constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

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 disputed domain names have been used in connection with the same websites, which mimic the Complainant's website and purportedly offer an investment management system. Panels have held that the use of a domain name for illegal activity, impersonation or passing off, or other types of fraud, 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 names constitutes bad faith under the Policy.

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 names <kilnstaking.cc>, <kilnstaking.org>, <kilnstaking.top>, and <kilnstaking.vip> be transferred to the Complainant.

/Estela Mariel de Luca/

Estela Mariel de Luca

Sole Panelist

Date: October 29, 2025