

ADMINISTRATIVE PANEL DECISION

Rockwell Automation Inc v. Ovod Maksim
Case No. D2025-3393

1. The Parties

The Complainant is Rockwell Automation Inc, United States of America ("United States"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Ovod Maksim, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <allen-bradley.pro> (the "Disputed Domain Name") is registered with Registrar of Domain Names REG.RU LLC (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on August 22, 2025. On August 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 26, 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 (N/A, Personal data, can not be publicly disclosed according to applicable laws) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 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 amended Complaint on August 29, 2025.

On August 26, 2025, the Center informed the parties in Russian and English, that the language of the registration agreement for the Disputed Domain Name is Russian. On August 29, 2025, the Complainant requested English to 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 of the Complaint, and the proceedings commenced on September 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 22, 2025.

The Center appointed Pham Nghiem Xuan Bac as the sole panelist in this matter on September 24, 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 leading multinational corporation engaged in industrial automation and digital transformation. Its flagship brand, Allen-Bradley, established in 1903 and acquired by the Complainant in 1985, forms the foundation of its automation business. The Complainant currently operates in over 100 countries, employs approximately 29,000 staff, and in Fiscal Year 2024 reported sales of USD 8.2 billion.

The Complainant owns many trademark registrations that consist of or contain the element "ALLEN-BRADLEY" (the "ALLEN-BRADLEY trademark") in numerous countries around the world, including, but not limited to the United States Trademark Registration No. 712800 registered March 21, 1961, in class 9, and the Canadian Trademark Registration No. TMA128375 registered October 19, 1962, in classes 7 and 9.

The Complainant also owns the domain name <allen-bradley.com>, registered on February 25, 1998.

The Disputed Domain Name was registered on March 27, 2024. As of the date of this Decision, the Disputed Domain Name resolves to an active website offering electrical products bearing the Complainant's ALLEN- BRADLEY trademark.

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 as follows:

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark, in which the Complainant has rights.

The Complainant argues that it owns valid registrations for the ALLEN-BRADLEY trademark. The Complainant contends that the Disputed Domain Name incorporates its the ALLEN- BRADLEY trademark in its entirety, and that the addition of the generic Top-Level Domain ("gTLD") ".pro" is to be disregarded.

The Complainant further contends that the Respondent has used the Disputed Domain Name to operate a website that imitates the Complainant's official website, thereby reinforcing the confusing similarity.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant argues that it has not authorized, licensed, or otherwise permitted the Respondent to register or use the ALLEN-BRADLEY trademark in any form.

The Complainant further contends that the Respondent is not commonly known by the Disputed Domain Name and has used it to impersonate the Complainant's website, which does not constitute bona fide or legitimate use.

(iii) The Disputed Domain Name was registered and is being used in bad faith.

The Complainant submits that the Respondent registered the Disputed Domain Name long after the Complainant's trademark rights had been established and did so with full knowledge of the Complainant's well-known mark.

The Complainant argues that the Respondent intentionally used the Disputed Domain Name to mislead Internet users by creating a false impression of association with the Complainant, for commercial gain.

Further, the Complainant contends that there is no conceivable good faith use of the Disputed Domain Name by the Respondent.

With the said arguments, the Complainant requests that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Russian. 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 for several reasons, including the fact that:

- i. The Complainant has no knowledge of Russian and the translation of the Complaint would impose a burden of cost on the Complainant and unnecessary delay for the procedure.
- ii. The Disputed Domain Name includes Latin characters, and the associated website contains English phrases such as "Rockwell Automation", "Automation Fair Discover What's Possible", and "Sales", which suggests that the Respondent is competent in English.

The Respondent did not make any specific submissions with respect to the language of the proceeding. 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. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

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.

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 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 entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Furthermore, the Panel determines that the inclusion of the gTLD “.pro” in the Disputed Domain Name is disregarded, as it is a technical necessity. [WIPO Overview 3.0](#), section 1.11.1.

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 the 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.

Paragraph 4(c) of the Policy lists circumstances, in particular but without limitation, which, if found by the Panel to be proved, demonstrate the Respondent’s rights or legitimate interests in the Disputed Domain Name for the purposes of paragraph 4(a)(ii) of the Policy, including:

- “(i) before any notice to you of the dispute, your use of, or demonstrable 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; or
- (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- (iii) you are 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 or service mark at issue.”

Regarding paragraph 4(c)(i) of the Policy, the Panel finds, in light of the Complainant’s asserted facts, that no license, permission or authorization in any kind to use the Complainant’s ALLEN- BRADLEY trademark has been granted to the Respondent. There is no evidence available that the Respondent holds any registered or unregistered trademark rights in any jurisdiction related to ALLEN- BRADLEY.

A reseller or distributor may be making a bona fide offering of goods and services and thus have rights or legitimate interests in a domain name if its use meets certain requirements, which are described in the decision *Oki Data Americas, Inc. v. ASD, Inc.*, (“Oki Data”), WIPO Case No. [D2001-0903](#) including:

- the respondent must actually be offering the goods or services at issue;
- the respondent must use the site to sell only the trademarked goods or services (otherwise, there is the possibility that the respondent is using the trademark in a domain name to bait consumers and then switch them to other goods or services);
- the site itself must accurately and prominently disclose the respondent's relationship with the trademark owner; and
- the respondent must not try to "corner the market" in domain names that reflect the trademark, thus depriving the trademark owner of the ability to reflect its own mark in a domain name.

In this particular case, the Panel finds that the Disputed Domain Name resolves to an online shop advertising and selling electrical devices bearing the Complainant's ALLEN- BRADLEY trademark. The Panel further notes that the Respondent has not placed any statement or disclaimer disclosing accurately and prominently its relationship with the Complainant. Such use is liable to mislead Internet users into believing in a connection or association between the Respondent and the Complainant, where such connection or association does not exist in reality.

With such a view, the Panel finds that the use of the Disputed Domain Name does not meet the Oki Data criteria and thus, does not constitute a bona fide use within paragraph 4(c)(i) of the Policy.

Regarding paragraphs 4(c)(ii) and 4(c)(iii) of the Policy, the Panel finds no evidence indicating that the Respondent, whether as an individual, business, or entity, is commonly known by the Disputed Domain Name, nor is the Respondent making a legitimate noncommercial or fair use of it. In fact, as it appears following the Complainant's assertions and evidence with regard to the Respondent's registration of the Disputed Domain Name, the Respondent had full knowledge of the ALLEN-BRADLEY trademark and had an intention to gain profit by riding on the goodwill and reputation of the Complainant.

Moreover, the Panel finds that the Disputed Domain Name is inherently misleading. [WIPO Overview 3.0](#), section 2.5.1.

Based on the foregoing findings, 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, including:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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 your website or location or of a product or service on your website or location."

In the present case, the Panel finds that the Complainant has put forth evidence that the Respondent has registered and used the Disputed Domain Name in bad faith. The Respondent did not formally reply to the Complainant's contentions and, therefore, did not refute the Complainant's contentions.

The Panel has considered the Complainant's assertions and evidence concerning the Respondent's registration and use of the Disputed Domain Name. It is evident from the record that the Complainant's ALLEN-BRADLEY trademark enjoys longstanding and widespread recognition in the industrial automation sector. Furthermore, the ALLEN-BRADLEY trademark has been actively used and has acquired substantial reputation over many decades. In addition, the Complainant's trademark registrations long predate the registration date of the Disputed Domain Name.

The Disputed Domain Name comprises the Complainant's ALLEN-BRADLEY trademark in its entirety, adding only the gTLD ".pro" at the end. Given the extensive use of the ALLEN-BRADLEY trademark, it is implausible that the Respondent's registration of the Disputed Domain Name was coincidental. The Panel finds that the Respondent obviously knew the Complainant and its ALLEN-BRADLEY trademark at the time of registration of the Disputed Domain Name. Therefore, the Panel considers the registration of the Disputed Domain Name was in bad faith and constitutes an effort by the Respondent to unfairly exploit the Complainant's reputation and goodwill.

On the date of this Decision, the Panel accessed the Disputed Domain Name and finds that it resolves to an active website offering electrical products bearing the Complainant's ALLEN-BRADLEY trademark. In addition to the adoption of the Complainant's ALLEN-BRADLEY trademark as a uniquely distinctive part of the Disputed Domain Name, the Respondent uses the Complainant's trademark and logo. Such use gives Internet users the misleading impression of an official connection or affiliation with the Complainant.

The Panel takes the view that any Internet user seeking to purchase the Complainant's ALLEN-BRADLEY products would likely mistakenly believe that the Respondent is either connected to or associated with the Complainant, while no such connection exists in fact. The Panel therefore finds that by using the Disputed Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website, which is indicative of bad faith within the meaning of paragraph 4(b)(iv) of 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 Name <allen-bradley.pro> be transferred to the Complainant.

/Pham Nghiem Xuan Bac/

Pham Nghiem Xuan Bac

Sole Panelist

Date: October 8, 2025