

ADMINISTRATIVE PANEL DECISION

Corning Incorporated v. userdc dger
Case No. D2025-3588

1. The Parties

The Complainant is Corning Incorporated, United States of America (“United States”), represented by Gowling WLG (Canada) LLP, Canada.

The Respondent is userdc dger, United States.

2. The Domain Name and Registrar

The disputed domain name <corningus.shop> is registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 4, 2025. On September 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 5, 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 for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf”) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 5, 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 September 17, 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 September 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 9, 2025.

The Center appointed Nels T. Lippert as the sole panelist in this matter on October 10, 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 United States publicly traded company with a history of more than 165 years. It is one of the world's leading innovators in materials science. The Complainant's business involves glass science, ceramic science, and optical physics by which it develops category-defining commercial products. In 2018, the Complainant generated USD11.29 billion in revenue and over USD30 billion between 2016 and 2018.

The Complainant is the owner of over 325 trademark registrations worldwide for trademarks comprised of, or containing the word "corning". Representative examples of registrations of the CORNING mark include:

- United States Registration No. 618649, registered on January 3, 1956;
- United States Registration No. 918421, registered on August 17, 1971; and
- Canada Registration No. TMA186211, registered on October 20, 1972.

The Complainant additionally operates a website at "www.corning.com".

The disputed domain name was registered on July 29, 2025, and resolves to a website that prominently displays the Complainant's CORNING mark and offers for sale products of the Complainant as well as products of competitors of the Complainant.

The Panel notes that the Respondent appears to have provided a fictitious name and address in the registration details of the disputed domain name and that a privacy service was used to register the disputed domain name.

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 CORNING trademarks enjoy widespread recognition, have generated significant goodwill and have become famous. Therefore, the Respondent had actual knowledge of the Complainant's trademark rights at the time of registering the disputed domain name. The Complainant asserts that there has never been any relationship between the Complainant and the Respondent and the Respondent is not licensed or otherwise authorized to register or use the Complainant's CORNING mark. The Complainant additionally asserts that there is no evidence to suggest that the Respondent has ever used or demonstrated preparations to use the disputed domain name in connection with a bona fide offering of goods or services. The Complainant also argues that there is no evidence to suggest that the Respondent has been commonly known by the disputed domain name or that the Respondent is making or intends to make legitimate noncommercial or fair use of the disputed domain name. Rather, the Complainant notes that the disputed domain name resolves to a website that displays and promotes the sale of competitor products. Thus, the Complainant argues, the use of the disputed domain name is disruptive to the Complainant, as potential consumers are likely to be confused into believing the Respondent's website is affiliated or sponsored by the Complainant. Accordingly, the Complainant contends that the disputed domain name is being used in an attempt to intentionally attract, for commercial gain, Internet users to the

Respondent's website by creating a likelihood of confusion with the Complainant's trademark as to source, sponsorship, affiliation, or endorsement.

B. Respondent

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

6. Discussion and Findings

As noted above, the Respondent did not respond to the Complainant's allegations. Under the Rules, paragraphs 5(f) and 14(a), the effect of a default by the Respondent is that, in the absence of exceptional circumstances, the Panel shall proceed to a decision on the basis of the Complaint. The Panel does not find any exceptional circumstances in this case.

Paragraph 4(a) of the Policy provides that in order to divest a respondent of a domain name, a complainant must demonstrate each of the following:

(i) the 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 domain name; and

(iii) the domain name has been registered and is being used in bad faith.

Under paragraph 15(a) of the Rules, "[a] Panel shall 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".

In this case, the Panel finds that as a result of the default, the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant. By defaulting and failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in paragraph 4(c) of the Policy or otherwise, from which the Panel might conclude that the Respondent has any rights or legitimate interests in the disputed domain name.

Moreover, the Respondent failed to provide any information or reasoning that might rebut the Complainant's arguments that the Respondent has acted in bad faith.

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 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, "us" 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.

Furthermore, it is well established that the applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.

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.

The Panel notes the use of the Complainant’s mark to advertise products of the competitors does not amount to a bona fide offering of goods or services.

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 registered and used the disputed domain name to intentionally attempt to attract for commercial gain Internet users to its website by creating a likelihood of confusion with the Complainant’s mark. This demonstrates registration and use in bad faith per paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.0](#), section 3.1.4. Factors such as (i) the Respondent’s likely knowledge of the Complainant’s rights, (ii) the reputation of the Complainant’s mark, (iii) website content targeting the Complainant’s mark, and (iv) the failure of the Respondent to present a credible evidence-backed rationale for registering the disputed domain name further establish bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name 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 name <corningus.shop> be transferred to the Complainant.

/Nels T. Lippert/

Nels T. Lippert

Sole Panelist

Date: October 24, 2025