

## **ADMINISTRATIVE PANEL DECISION**

Audio Effetti S.R.L. v. Admin  
Case No. D2025-3622

### **1. The Parties**

The Complainant is Audio Effetti S.R.L., Italy, represented by LIEN Avocats, Italy.

The Respondent is Admin, Republic of Korea.

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

The disputed domain name <generalmusic.com> is registered with Gabia, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 7, 2025. On September 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 9, 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.

On September 10, 2025, the Center informed the parties in Korean and English, that the language of the registration agreement for the disputed domain name is Korean. On September 12, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent objected to the Complainant’s request.

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 in English and Korean, and the proceedings commenced on September 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2025. On September 17 and 18, 2025, the Respondent sent communications in Korean to the Center related to the language of the proceedings, to which the Complainant replied to on September 19, 2025. The Response was filed in

Korean with the Center on October 7, 2025. The Respondent sent a further communication in Korean to the Center on October 8, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on October 14, 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**

From around 1992 to 2009, GENERALMUSIC was used as an umbrella brand and mark for high-tech keyboards, digital organs, and other electronic music equipment made by GENERALMUSIC S.p.A, an Italian company. The brand sold 200 products in 80 countries, including the Republic of Korea, and equipment bearing the GENERALMUSIC mark were used and endorsed for its quality by international artists such as Stevie Wonder, Michael Jackson, Whitney Houston, Eric Clapton, and Stevie Nicks, and were featured in the media. Around 1998, GENERALMUSIC S.p.A registered and started using the disputed domain name in connection with its business. In 2009, GENERALMUSIC S.p.A closed business and all rights to the trademark and goodwill therein and the disputed domain name were sold to GENERALMUSIC Technologies s.r.l., and then to Soundiyon Oy Ltd. In 2023, registration of the disputed domain name lapsed.

In 2025, the Complainant acquired rights in the GENERALMUSIC mark and goodwill therein including the trademark registration for GENERALMUSIC and Device mark, Trademark Registration Number TMA438361 registered in Canada on January 27, 1995, through an assignment from the prior rightholder.

The Respondent is an entity with an address in the Republic of Korea. The Respondent registered the disputed domain name on May 7, 2023. At the time of filing the Complaint, the disputed domain name resolved to an inactive webpage. At the time of the Decision, the disputed domain name is linked to a webpage displaying Pay-Per-Click ("PPC") links to terms "Synthesizer Software for Midi", "Solton Ms 60", and "Korg P3" which are names of sound equipment.

In May 2025, the Complainant contacted the Respondent through a domain name sales agent for purchase of the disputed domain name. The Complainant made first and second offers at USD 5,000 and USD 7,500 respectively, which the Respondent rejected as it said seeking offers starting at USD 10,000, and negotiations ceased thereafter.

#### **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 is identical to the GENERALMUSIC mark in which the Complainant has rights.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. Further, the Complainant contends that the Respondent has not used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. The Complainant also confirms that it has not authorized or licensed rights to the Respondent in any respect.

Finally, the Complainant contends that the disputed domain name was registered and used in bad faith. Namely, the Complainant contends that the Respondent has a history of bad faith registration and use of domain names, and that he, aware of the fame of the GENERALMUSIC mark, registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name. The Complainant also contends that the Respondent registered the disputed domain name primarily to sell it to the Complainant or its competitor for valuable consideration in excess of the Respondent's costs related to the disputed domain name.

## **B. Respondent**

The Respondent contends that the Complainant has not satisfied any of the elements required under the Policy for a transfer of the disputed domain name. First, the Respondent contends that the Complainant has no rights in the GENERALMUSIC mark. Secondly, the Respondent contends that he has rights and legitimate interests in the disputed domain name since the disputed domain name is composed of common dictionary terms and no one owned trademark rights to the GENERALMUSIC mark at the time of registration. And lastly, the Respondent contends that he had no bad faith in the registration or use of the disputed domain name, since he registered the disputed domain name after the prior registrant had allowed it to lapse and the purpose of his registration was investment which is a reasonable and lawful business activity. The Respondent moreover claims that the Complaint constitutes Reverse Domain Name Hijacking ("RDNH").

## **6. Discussion and Findings**

### **Language of the Proceeding**

The language of the registration agreement for the disputed domain name is Korean. 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 the negotiations on the sale of the disputed domain name were in English and that the disputed domain name is composed of English words.

The Respondent requested that the language of the proceeding be Korean claiming that he does not understand English and emphasizing that the language of the registration agreement is Korean.

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 (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1). Here, both Parties were given an opportunity to submit arguments in the language of their preference, and the Respondent did in fact submit a response in Korean which was taken into consideration by the Panel. Further, the Complainant is located in Italy and the Respondent in the Republic of Korea, so English seems to be a fair neutral language for rendering this decision. In addition, according to [WIPO Overview 3.0](#), section 4.5.1, the Panel can take into consideration prior cases involving the Respondent in a particular language. In this regard, there is a number of prior UDRP decisions involving a respondent in the Republic of Korea by the name of "Admin" or "admin" and the panels in the relevant cases rendered decisions in English, deciding that the Respondent has sufficient knowledge of English to be able to understand the decision in English, or that it would not be unduly prejudiced by rendering the decision in English.

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

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

#### **B. Rights or Legitimate Interests**

The Panel finds that it is unnecessary to consider this element in view of its conclusion under the third element below.

#### **C. Registered and Used in Bad Faith**

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

While the GENERALMUSIC mark seems to have been in active use at one point, the use ceased and has been more recently acquired by the Complainant, and there is insufficient evidence to conclude that the mark was well-known when the Respondent registered the disputed domain name in 2023. Further, even if the Respondent knew that GENERALMUSIC was once used for musical instruments, all mentions of the brand on the Internet indicates that the owner ceased business in 2009, and therefore, it is unlikely for the Respondent to have known that the rights to the mark were still alive; at least there is no evidence to support this proposition. Rather, as the disputed domain name is composed of two common dictionary words, it is not impossible for the Respondent to have come up with the disputed domain name by simply combining two terms that it found to be complementary and registered it for investment purposes. As outlined in section 2.10.1 of the [WIPO Overview 3.0](#), a respondent may have a legitimate interest in registering a domain name composed of a descriptive term, when the term is not used in a manner targeting the complainant.

The Panel notes that at the time of filing the Complaint, the disputed domain name directed to an inactive webpage. There is therefore no indicator of a particular targeting of the Complainant's trademark. As for the PPC links appearing at the website associated with the disputed domain name at the time of this decision, it is unclear if they are related to the goods of the Complainant or its competitors, or to the term "music" in the disputed domain name. And even if there were bad faith in use of the disputed domain name, the Policy requires both registration and use in bad faith, and there is no evidence that the disputed domain name was registered in bad faith.

In addition, the fact that the Respondent sought to be paid more than USD 7,500 for the disputed domain name without additional supporting factors showing an intent to take advantage of a trademark does not necessarily indicate bad faith. [WIPO Overview 3.0](#), section 3.1.1.

Finally, for the sake of completeness, while the Complainant argues that the Respondent shows a pattern of cybersquatting, here, the facts do not support a clear finding of registration and use in bad faith.

The Panel finds the third element of the Policy has not been established.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Kathryn Lee/*

**Kathryn Lee**

Sole Panelist

Date: November 21, 2025