ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Kontron Europe GmbH v. Clara Cui
Case No. D2025-3648

1. The Parties

The Complainant is Kontron Europe GmbH, Germany, represented by Wuesthoff & Wuesthoff Patentanwälte und Rechtsanwalt PartG mbB, Germany.

The Respondent is Clara Cui, China.

2. The Domain Name and Registrar

The disputed domain name <kontronn.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 September 9, 2025. On September 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Squarespace Domains II LLC (a subsidiary of Squarespace, Inc.)) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 12, 2025, providing the registrant and contact information disclosed by the Registrar, and requesting 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 sent several email communications to the Center on September 19, 23 and 26, 2025. The Response was filed with the Center on September 25, 2025.

The Center appointed Vincent Denoyelle as the sole panelist in this matter on October 17, 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 multinational group of companies specializing in Internet of Things (IoT) technologies and embedded computer solutions.

The Complainant has registered several KONTRON trade marks including:

- International Trade Mark registration KONTRON registered on March 22, 1973, under number 397692; and

- International Trade Mark registration KONTRON registered on March 19, 1984, under number 484672.

The Complainant is the registrant of the domain name <kontron.com>.

The disputed domain name was registered on May 1, 2016. The disputed domain name directs to a website relating to products and services in competition with those of the Complainant and at the time of filing of the Complaint, reproducing a logo highly similar to one of the Complainant's logos.

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 highly similar to its KONTRON trade mark.

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name as it has not been licensed by the Complainant and the Respondent is attempting to direct to the website at the disputed domain name Internet users who are looking for the Complainant and its products or services.

The Complainant contends that the Respondent registered and is using the disputed domain name with the intention to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's trade mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

B. Respondent

In the Response, the Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

Essentially, the Respondent argues that:

- The disputed domain name is not confusingly similar to the KONTRON trade mark of the Complainant given the addition of the letter "n" at the end.

- The disputed domain name has been registered since 2016, for legitimate purposes.

- The Respondent has never attempted to sell, rent, or transfer the disputed domain name to the Complainant or any competitor.

- The disputed domain name has been used in connection with the Respondent's own online presence and does not impersonate or seek to exploit the Complainant's reputation.

- The Respondent claims to operate a technology-related website offering technical content, tutorials, and industry news, and submits Google search performance reports to demonstrate ongoing website development and bona fide use.

- Any similarity in wording is coincidental and not intended to infringe the Complainant's rights.

- This is not a case of typosquatting as "kontronn" is an acronym for "Keep On Navigating Technology, Research, Operations, Networking, Next-gen".

- The logo displayed on the website of the disputed domain name differs from the Complainant's logo as the colors are different.

- There is no evidence that the Respondent offered counterfeit services, sold competing products deceptively, or misrepresented its identity.

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 trade mark or service mark for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1.

The entirety of the Complainant's KONTRON trade mark is reproduced within the disputed domain name. The disputed domain name only differs from the Complainant's KONTRON trade mark by the addition of the letter "n" after the trade mark, in other words the doubling of the last letter of the Complainant's KONTRON trade mark. The Panel finds that this is an intentional misspelling of the Complainant's KONTRON trade mark and a clear case of typosquatting. Accordingly, the disputed domain name is confusingly similar to the Complainant's KONTRON trade mark for the purposes of the Policy. WIPO Overview 3.0, sections 1.7. and section 1.9.

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 argued that it registered the disputed domain name for its own legitimate purpose without giving any sense as to what this might be. The Respondent has explained that the term "kontronn" corresponds to "Keep On Navigating Technology, Research, Operations, Networking, Next-gen". The Respondent also explained that the use on its website of a logo highly similar to a logo registered as a trade mark by the Complainant is purely coincidental and that in any event the colors are different.

The Panel finds that the Respondent's Response is not credible and that it is merely a self-serving series of statements. Therefore, the Panel finds that the Respondent has not rebutted the Complainant's prima facie case.

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 disputed domain name reproduces the KONTRON trade mark of the Complainant with the mere addition of the letter "n" and this cannot be a coincidence given the overall circumstances of the present case including: (i) the fact that the Complainant's business under the KONTRON trade mark has been in existence since the 1950s, i.e., for more than fifty years before the registration of the disputed domain name; (ii) the fact that the KONTRON trade mark corresponds to a fanciful term, (iii) the fact that the disputed domain name was registered several decades after the registration of the KONTRON trade mark and (iv) the fact that the Respondent appears to be active in the same field as the Complainant.

Thus, the Panel finds that the disputed domain name was registered in bad faith.

As for the use of the disputed domain name in bad faith, the Panel considers that the disputed domain name is used in bad faith.

Here the Panel considers that the Respondent has unequivocally sought to create confusion with the Complainant, through the disputed domain name itself and through the website associated therewith as it relates to the same types of products or services as the Complainant's and has displayed a logo which was almost identical to the Complainant's logo registered as a trade mark.

In the present case, the disputed domain name is used to attract Internet users by taking unfair advantage of and creating a likelihood of confusion with the Complainant's trade mark.

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 <kontronn.com> be transferred to the Complainant.

/Vincent Denoyelle/
Vincent Denoyelle
Sole Panelist
Date: October 30, 2025