

ADMINISTRATIVE PANEL DECISION

KITZ Corporation v. Hoang Ngoc Ha Hoang Ngoc Ha, My Company
Case No. D2025-3842

1. The Parties

The Complainant is KITZ Corporation, Japan, represented by BMVN International LLC, Viet Nam.

The Respondent is Hoang Ngoc Ha Hoang Ngoc Ha, My Company, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <valveskitz.com> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 22, 2025. On September 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 24, 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.

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, and the proceedings commenced on September 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 23, 2025.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on October 28, 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 in this administrative proceeding is KITZ Corporation, a global manufacturer of valves and flow control devices, headquartered in Tokyo, Japan. The Complainant's core business revolves around the production and sale of valves, fittings, and related components made from materials such as carbon steel, stainless steel, bronze, and brass. These products are essential in lifeline services like water supply, gas distribution, and air conditioning, as well as in heavy industries including petrochemicals, chemicals, and semiconductors. The Complainant also manufactures actuators and precision flow control systems, catering to both infrastructure and high-tech applications. The Complainant has established a strong international presence, with operations spanning Asia, the Americas, and Europe. It has subsidiaries in countries like Viet Nam, Thailand, China, the United States of America, and Germany.

Further, the Complainant is the owner of registrations for KITZ trademarks in a variety of forms and for a wide range of goods in many jurisdictions, including in Viet Nam (hereinafter collectively referred to as the "KITZ Trademarks"), including International Trademark Registration No. 982716 for KITZ, registered on March 31, 2008, in all Nice Classes (save for 13, 15, 22, and 23), designating among others Viet Nam. In addition, the Complaint includes a full listing of many more registrations for the KITZ Trademarks in various jurisdictions around the world.

The Complainant manufactures and sells valves (fluid control devices) since 1951 and has registered and widely used the KITZ Trademarks for its valve products in several jurisdictions well before the Respondent registered the disputed domain name on October 31, 2016, which previously resolved to a webpage displaying the KITZ Trademarks and purportedly offering for sale the Complainant's goods as well as third party goods. At the time of filing of the Complaint, the disputed domain name was inactive.

The Complainant has been operating a global website at "www.kitz.com" and many national websites using domain names that contain the KITZ Trademarks, such as <kitz.co.jp>.

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 Respondent uses the Complainant's KITZ logos on the website at the disputed domain name. This unauthorized use can be considered a false reference, taking into account that the Complainant and the Respondent have no business relationship and that the Respondent is not an authorized representative or reseller of the Complainant's products in Viet Nam. The disputed domain name clearly seeks to mislead consumers and entice consumers to buy products through the Respondent's website as if the Respondent were an affiliate of the Complainant in Viet Nam.

Therefore, the Complainant has requested the Panel to issue a decision ordering the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the disputed domain name, the Complainant must prove each of the following, namely that:

- (i) the disputed domain name is identical or confusingly similar with 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 disputed domain name; and
- (iii) the disputed domain name was registered and is being used 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, "valves" 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.

As generally accepted, the Panel shall disregard the generic Top-Level Domain ("gTLD") ".com" element for the purpose of the 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 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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's KITZ Trademarks when it registered the disputed domain name on October 31, 2016. By that time, the Complainant had long ago registered and intensely used the KITZ Trademarks.

The Panel also finds that by registering the disputed domain name which includes the Complainant's trademark KITZ in its entirety and includes the term "valves" which refers to the products of the Complainant, the Respondent was targeting the Complainant and its business with the intention to capitalize on the fame of the Complainant's trademark for its own benefit.

Further, the fact that there is a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name and the nature of the disputed domain name are indicative of bad faith, as stated in section 3.2.1 of the [WIPO Overview 3.0](#).

Finally, the Panel also notes that the Respondent previously used the disputed domain name to redirect consumers to a website that displayed the KITZ Trademarks and purportedly offered for sale valves from the Complainant and third parties. Currently, the disputed domain name redirects to an inactive website. Considering the reputation of the Complainant's trademark, the prior use of the disputed domain name, the composition of the disputed domain name clearly targeting the Complainant, and the lack of any response from the Respondent, the Panel finds that the current non-use of the disputed domain name does not prevent a finding of bad faith under the doctrine of the passive holding. Section 3.3 of the [WIPO Overview 3.0](#).

The Panel finds that the Respondent registered and is using the disputed domain name in bad faith and that the requirements of paragraph 4(a)(iii) of the Policy have been established.

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 <valveskitz.com> be transferred to the Complainant.

/Miguel B. O'Farrell/

Miguel B. O'Farrell

Sole Panelist

Date: November 11, 2025