

## **ADMINISTRATIVE PANEL DECISION**

SonarSource SA v. Hasan Kibar

Case No. D2025-3938

### **1. The Parties**

The Complainant is SonarSource SA, Switzerland, represented by Sunstein LLP, United States of America ("United States").

The Respondent is Hasan Kibar, Denmark.

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

The disputed domain name <onarsource.com> 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 26, 2025. On September 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 29, 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 (Registrant Name Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 30, 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 the same date.

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 October 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 21, 2025. The Response was filed with the Center on October 14, 2025.

The Center appointed Andrew D. S. Lothian 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 software company based in Geneva, Switzerland operating under the “SonarSource” brand. The Complainant states that its said brand is well-known, and notes that this has been accepted by a panel in a previous case under the Policy, namely *SonarSource SA v. Domain Admin, Privacy Protect LLC PrivacyProtect org*, WIPO Case No. [D2025-1740](#). The Complainant claims that over 7 million developers and over 500,000 organizations use its “SonarSource” products, and that it has used SONAR and SONAR-formative marks in connection with software and related services since 2008.

The Complainant is the owner of various trademark registrations including, for example, United States Registered Trademark Number 4177620 for the word mark SONARSOURCE, registered on July 24, 2012, in Classes 9, 41, and 42; United States Registered Trademark Number 6132431 for the word mark SONAR, registered on August 25, 2020, in Classes 9, 41, and 42; United States Registered Trademark Number 7601881 for the word mark SONARSOURCE, registered on December 17, 2024, in Class 42; and United States Registered Trademark Number 7601898 for the word mark SONAR, registered on December 17, 2024, in Class 42.

The disputed domain name was registered on September 17, 2025. The website associated with the disputed domain name is provided by a secondary market for the sale of domain names, on which the disputed domain name is offered for sale at a “buy now” price of USD 109,000. Although the Respondent filed a Response in this case, very little is known about it other than the fact that it appears to be a private individual with an address in Denmark, and that it claims to have registered the disputed domain name as part of a portfolio of descriptive, “brandable” names, although it did not provide evidence of any other domain names in such portfolio.

#### **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 asserts that in registering the disputed domain name, the Respondent has engaged in typosquatting whereby it has deliberately introduced a slight deviation into the Complainant’s SONARSOURCE trademark. The Complainant notes that the disputed domain name is virtually identical to such mark, differing only by the removal of the letter “s” at the beginning, and asserts that, because the disputed domain name constitutes typosquatting, it is by definition confusingly similar to the Complainant’s trademark.

The Complainant asserts that the mark SONARSOURCE is highly distinctive and is not a word that a third party would choose unless seeking to create an impression of an association with the Complainant, adding that it adopted such mark in 2008. The Complainant contends that the Respondent's use of its said trademark is a deliberate attempt to take commercial advantage of the Complainant's rights, and consequently that the Respondent has no legitimate interest in using such mark, adding that the Respondent is not affiliated in any way with the Complainant, and has no permission to use such mark or any confusingly similar variant.

The Complainant asserts that its mark is well-known and that the Respondent must have known of it, adding that typosquatting is itself evidence of bad faith, and that the disputed domain name is being offered for sale at an unreasonably high price. The Complainant notes with reference to previous cases under the Policy that a trademark search by the Respondent would have disclosed its SONARSOURCE trademarks, adding that the disputed domain name was registered almost 20 years after the Complainant began using such mark, and noting that the panel in *SonarSource SA v. Domain Admin, Privacy Protect LLC PrivacyProtect org, supra*, found that such mark is distinctive and has a strong reputation. The Complainant also makes submissions regarding the alleged passive holding of the disputed domain name.

## **B. Respondent**

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name. Notably, the Respondent asserts that "onar" and "sonar" are distinct in spelling, pronunciation, and meaning, adding that the prefix "onar" means "dream" in Greek, "to repair" or "to fix" in Turkish, and is a surname attested globally, while "source" is an English noun widely used in thousands of domain names. The Respondent submits that the phrase "onar source" is linguistically and conceptually independent from the Complainant's mark, and that panels have consistently held that domain names made of dictionary or "multi-meaning" words do not automatically create confusion.

The Respondent asserts that it registered the disputed domain name as part of a portfolio of descriptive, "brandable" names, and not to exploit any trademark, adding that it completed a trademark search on "onarsource" before registration, noting that this was not registered anywhere. The Respondent adds that it has never represented itself as affiliated with the Complainant, has never approached it, and has never used the disputed domain name to mislead or divert traffic.

The Respondent notes that the disputed domain name is offered for sale on a "verified premium marketplace for domain investors", adding that the valuation of USD 109,000 was generated by the marketplace's artificial intelligence based system which "uses hundreds of predictive data points", and that the disputed domain name was later reviewed by the marketplace's professional valuation team, who approved it for a premium listing with a recommended price range of USD 45,999 to 50,599. The Respondent contends that these third party valuations demonstrate that the disputed domain name has genuine standalone brand value, independent of any alleged association, adding that domain name investment of descriptive, linguistic or "brandable" names is a recognized and legitimate business activity as recognized by previous cases under the Policy.

The Respondent indicates that it selected the disputed domain name based on "linguistic and branding" criteria, adding that the Complainant's typosquatting claim is unfounded as removing the letter "s" results in an entirely different word with "real meaning", not a deceptive variation. The Respondent states that the price display by the marketplace does not reflect any intent to target the Complainant but was algorithmically generated, and that this was followed by a human review setting a realistic professional price range, adding that the disputed domain name has never been used for pay-per-click advertisements, redirections, or any reference to the Complainant's products. The Respondent states that insofar as the disputed domain name is passively held, this does not constitute bad faith where, as here, the Respondent has a credible, legitimate reason for registration, noting that a privacy service was used on the registration data for personal data protection, which it states is a standard practice among registrants.

## 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 trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable 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 applicable Top-Level Domain ("TLD") in a domain name (here ".com") is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element, stemming from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. [WIPO Overview 3.0](#), section 1.9. Here, the disputed domain name is identical to the Complainant's mark, absent the first letter. The Panel is satisfied that the removal of the first letter does not result in the Complainant's mark being unrecognizable in the disputed domain name. The Respondent's arguments that this creates a new "brandable" term or combination of dictionary words are more appropriately considered under the second and third elements of the Policy. By contrast, the purpose of the first element is to assess the Complainant's standing under the Policy by way of a threshold test incorporating a reasoned but relatively straightforward side-by-side comparison between the complainant's trademark and the disputed domain name in order to assess whether the former is recognizable in the latter. [WIPO Overview 3.0](#), 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 essence of the Respondent's case is that the disputed domain name represents a descriptive, "brandable" name registered as part of a portfolio of such domain names. The Respondent also indicates that the disputed domain name is made up of a phrase consisting of "strong brand potential and broad conceptual meaning" which combines

the Greek word for “dream”, or the Turkish word for “repair/fix”, or a surname, with the common English word “source”.

The alleged “brandable” phrase aspect of the Respondent’s case immediately presents an issue, noting that the Respondent does not explain what it understands by the term “brandable”. If by this it means a term which would be readily usable as a commercial brand, the Panel considers that the resale of such terms, as the Respondent proposes to do, would only be permissible insofar as the alleged “brandable” term does not cut across existing trademark rights. Furthermore, given that it is a central plank of the Respondent’s case that the “brandable” term in the disputed domain name consists of dictionary words that are said to have an independent linguistic and conceptual meaning from the Complainant’s mark, the existence of such linguistic and conceptual meaning in the disputed domain name as a whole would have to be borne out by the evidence before the Panel.

Mere arguments that a domain name corresponds to a dictionary term/phrase will not necessarily suffice in an analysis under the Policy. In order to find rights or legitimate interests in a domain name based on its dictionary meaning, the domain name should be genuinely used, or at least demonstrably intended for such use, in connection with the relied-upon dictionary meaning and not to trade off third-party trademark rights. [WIPO Overview 3.0](#), section 2.10.1.

The most significant problem with the Respondent’s case on this topic is that, to the Panel’s mind, the disputed domain name does not contain a dictionary term or phrase, and it does not have any evident conceptual meaning (absent that of being an obvious typographical variant of the Complainant’s mark, missing only the first letter). The first two alleged derivations proposed by the Respondent consist of a coupling of two words in different languages, namely a Greek or Turkish word on the one hand, and an English word on the other. Absent any evidence that the presence of the English word would make sense in context with the Greek or Turkish word, for example, to a person who speaks Greek or Turkish (even assuming the English word has a universal meaning as part of a lingua franca) the Panel cannot accept the Respondent’s assertion regarding the meaningfulness or genuineness of the alleged phrase. While the Respondent asserts that the term “dream source” or “repair source” is present in the disputed domain name, it is not. A translation of the first word would be required to achieve this, and in any event, the Respondent does not explain why “dream source”, “repair source”, or “source by Onar” (the latter is not directly represented in the disputed domain name even in translation) themselves would constitute a common phrase, even in English.

Leaving aside these possible derivations, the Respondent also asserts that the phrase might mean a surname coupled with the English word “source”. There is some logic in a proposed combination here, for example, for use with a website referring to the origins of the surname concerned but, crucially, the Respondent does not indicate that this was its purpose in registering the disputed domain name, and the alleged conceptual meaning does not make any sense when placed alongside the other suggested derivations. Indeed, all of the alleged derivations, taken together, give a strong flavor of having been reverse-engineered to fit the composition of the disputed domain name after the Respondent was challenged about this, and it remains inescapable that the most obvious interpretation is that the disputed domain name is an exact representation of the Complainant’s mark absent the first letter. Significantly, the Respondent asserts that the disputed domain name forms part of a portfolio of similarly “brandable” names but neglects to present any examples whereby a pattern of similar non-infringing registrations, particularly other contemporaneous registrations, might have been discerned.

The Respondent also asserts that there is some significance in the fact that the disputed domain name has been assessed independently as being of high value, noting in particular that both an AI and a human valuation achieved such a result, including reference to “hundreds of predictive data points”. The problem for the Respondent’s case here is that such valuations on their own, without detailed evidence of precisely how they were reached, mean very little. The Panel does not know, for example, that any such valuation excluded the value of potential traffic arising from the disputed domain name’s similarity to the Complainant’s trademark. Nor can the Panel accept any argument that such a valuation, on its own, necessarily means

that the Respondent has registered and is seeking to sell a domain name consisting of an independently derived dictionary term or phrase rather than a variation on the Complainant's mark.

Turning to the status and fame of the Complainant's mark (see [WIPO Overview 3.0](#), section 2.10.1) it should be noted that a previous panel under the Policy has found that the Complainant's mark is well-known and distinctive, which the Panel accepts, albeit that the Panel in the present case would have preferred to have seen specific evidence of such, and notes that this may be the more appropriate course for the Complainant if it requires to bring further cases under the Policy. That said, the Respondent has not attempted to disprove the Complainant's allegations on this topic, or crucially to deny prior knowledge of its mark, or to take issue with the Complainant's assertion (found as factually accurate in the said previous case) that over 7 million developers and over 500,000 organizations use the Complainant's "SonarSource" products.

In all of these circumstances, the Panel rejects the Respondent's assertion that the disputed domain name was legitimately selected as a "brandable" term (based at least on the Panel's interpretation of such term above) or as a dictionary phrase which is independent of the Complainant's trademark. On the record before it, the Panel considers that it was more probably than not selected as a typographical variant of the Complainant's mark, in which the Respondent cannot establish rights and legitimate interests within the meaning of the Policy. Consequently, the Respondent has not rebutted the Complainant's *prima facie* case that it has no rights and legitimate interests in the disputed domain name.

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 has offered the disputed domain name for sale at an amount exceeding the out-of-pocket costs likely incurred in its registration, where the disputed domain name represents a close typographical variant of the Complainant's mark, absent only the first letter. The Panel has already rejected the Respondent's argument that the disputed domain name represents an independently derived "brandable" term or dictionary phrase in the preceding section. Furthermore, the Panel does not consider that the valuations ascribed to the disputed domain name, as presented on the record, are necessarily supportive of the Respondent's case that it came up with the composition of the disputed domain name independently of the Complainant's rights.

Taking the evidence as a whole, the Panel considers that the Respondent's alleged selection of the disputed domain name independently as a "brandable" term, when it exactly matches a very close typographical variation of the Complainant's mark, is a coincidence too far. When the Respondent attempted to explain its thinking, it was unable to decide between three possible explanations as to what the disputed domain name might have meant to it, each of which seems peculiarly contrived and therefore suggestive of the fact that all of them were "reverse engineered" to meet the Complainant's case. The Response seems carefully worded to avoid any express denial of the Respondent's prior knowledge of the Complainant's mark, and indeed, such denial may not have been particularly credible had it been made. While the Respondent says that it conducted a trademark search that did not disclose the Complainant's interest, the Panel considers that even a basic Google search for "onarsource" would most likely have returned details of the Complainant due to indexing of the Complainant's own website.

In these circumstances, the Panel concludes on the balance of probabilities that the Respondent registered the disputed domain name primarily for the purpose of selling it to the Complainant who is the owner of the trademark or to a competitor of that Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name, conform to paragraph 4(b)(i) 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 <onarsource.com> be transferred to the Complainant.

*/Andrew D. S. Lothian/*

**Andrew D. S. Lothian**

Sole Panelist

Date: October 30, 2025