

ADMINISTRATIVE PANEL DECISION

Asahi Kasei Kabushiki Kaisha v. Han jungmee (한정미)
Case No. D2025-4088

1. The Parties

The Complainant is Asahi Kasei Kabushiki Kaisha, Japan, represented by Markmonitor, United States of America (“United States”).

The Respondent is Han jungmee (한정미), Republic of Korea.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint in English was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 7, 2025. On October 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 10, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 14, 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 the amended Complaints on October 20 and October 31, 2025 respectively.

On October 23, 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 October 31, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amended Complaints 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 in Korean and English of the Complaint, and the proceedings commenced on November 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 24, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on November 27, 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 Japanese chemical company operating in the material, home, and healthcare sectors. The Complainant was established in 1922 and has traded under the name "Asahi-Kasei" since 1931. The Complainant includes 309 subsidiaries in approximately 40 countries and more than 40% of its employees are outside Japan. For 2024, the Complainant's net sales were more than JPY 250 billion and operation income was more than JPY 100 billion. The Complainant has owned and operated the domain name <asahi-kasei.com> since September 27, 1998. Further, the Complainant has a number of trademark registrations for the ASAHI KASEI and ASAHIKASEI marks, some of which are below:

- Japanese Trademark Registration Number 0545673 for ASAHI KASEI registered on December 10, 1959;
- United States Trademark Registration Number 701922 for ASAHI KASEI registered on July 26, 1960;
- United Kingdom Trademark Registration Number UK00000880268 for ASAHIKASEI registered on June 1, 1965; and
- Australian Trademark Registration Number 198745 for ASAHIKASEI registered on November 22, 1965.

The Respondent appears to be an individual with an address in the Republic of Korea.

The disputed domain name was registered on August 27, 2025 and does not resolve to any active website.

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 ASAHI KASEI and ASAHIKASEI marks in which the Complainant has rights.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and that there is no use as the disputed domain name resolves to an inactive page. The Complainant further contends that email servers were configured for the disputed domain name, so there is a possibility that the Respondent sent emails using email addresses generated from the disputed domain name posing as the Complainant, which would constitute illegal use.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. Namely, the Complainant contends that given the fame of its marks, the Respondent knew or should have known of the Complainant's trademark rights when registering the disputed domain name. Further, the Complainant contends that the registration of the disputed domain name that is identical to the

Complainant's famous marks creates a presumption of bad faith, and that the Respondent's non-use of the disputed domain name does not preclude a finding of bad faith. In addition, the Complainant contends that the Respondent more than likely registered the disputed domain name in order to prevent the Complainant from using its mark and to prevent the Complainant from registering it within the ".net" generic Top-Level Domain ("gTLD").

B. Respondent

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

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 Complainant is based in Japan and that preparing a translation of the Complaint would burden the Complainant financially.

The Respondent did not submit any response with respect to the language of the proceeding.

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, the Panel notes that the Center has notified the Respondent in Korean and English regarding the commencement of the proceeding and language of the proceeding. However, the Respondent has chosen not to comment on the language of the proceeding nor did the Respondent submit a response in Korean or 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 ASAHI KASEI and ASAHIKASEI marks is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the marks 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

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.

Moreover, “UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation.” [WIPO Overview 3.0](#), section 2.5.1. Here, the disputed domain name only contains the Complainant’s distinctive marks and Internet users are likely to be misled that any website associated with the disputed domain name would be owned and operated by the Complainant.

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 Complainant’s mark is distinctive and well known in the relevant industry and was registered decades before the registration of the disputed domain name. Further, the disputed domain name is identical to the Complainant’s marks. A simple Internet search would have brought up information on the Complainant to the Respondent as top search hits. Therefore, in the absence of any explanation from the Respondent, the Panel finds it is more likely than not that the Respondent registered the disputed domain name in order to target the Complainant and its marks, and it is difficult to conceive of any legitimate reason for obtaining registration of the disputed domain name.

There does not appear to have been any use of the disputed domain name. However, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant’s trademark, the composition of the disputed domain name clearly targeting the Complainant, and the Respondent’s lack of any response to the Complaint, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Besides, panels have found that the mere registration of a domain name that is identical to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

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 <asahikasei.net> be transferred to the Complainant.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: December 9, 2025