

ADMINISTRATIVE PANEL DECISION

AB Högländ Såg & Hyvleri v. Moise Sinclair
Case No. D2025-4122

1. The Parties

The Complainant is AB Högländ Såg & Hyvleri, Sweden, represented by Abion AB, Sweden.

The Respondent is Moise Sinclair, United States of America ("US").

2. The Domain Name and Registrar

The disputed domain name <hoglandssag.com> is registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 8, 2025. On October 9, 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 10, 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 amended Complaint on October 15, 2025.

The Center verified that the Complaint together with the amended 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 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 14, 2025.

The Center appointed Rebecca Slater as the sole panelist in this matter on November 20, 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 Swedish sawmilling and wood-processing company, headquartered at Örnköldsvik, Västernorrland county. The Complainant was founded in 1935. It operates several sawmills, as well as planning facilities and a grading and logistics site.

The Complainant's annual production amounts to approximately 280,000–300,000 cubic meters of sawn and planed wood products. It has around 120 employees. The Complainant's main export markets include the United Kingdom, Sweden, and North Africa, with additional sales to Asia and other European countries.

The Complainant contends that it has unregistered trade mark rights in the name "Högland Såg" through several decades of use (the "Trade Mark"). It further contends that it has rights in the registered trade name Högland Såg & Hyvleri since 1952. The Complainant submitted evidence of use of the Trade Mark:

- online via its official website at <hoglandssagen.se> (registered since 2000) and multiple social media accounts; and
- in press articles relating to the Complainant's business from 2012 to 2025.

The Complainant has also registered and used "Högland Såg & Hyvleri" as its trade name in Sweden.

The Respondent is an individual, apparently located in the US. The Respondent did not submit a response, and consequently little information is known about the Respondent.

The disputed domain name was registered on March 24, 2025. The disputed domain name resolves to a website that replicates the Complainant's official website, except in English. The Complainant provided evidence showing that the disputed domain name was used to send emails impersonating the Complainant.

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:

- It has unregistered trade mark rights in the Trade Mark. The Trade Mark is registered as a trade name in Sweden. The disputed domain name incorporates the Trade Mark in its entirety, with an additional letter. The fact that the disputed domain name substitutes the letter "ö" by "o" and "å" by "a" due to technological limitations, has no relevance in the comparison.
- The Complainant has not licensed or authorized the Respondent to register or use the disputed domain name, nor is the Respondent affiliated with the Complainant in any way. There is no evidence that the Respondent is known by the dispute domain names or owns any corresponding registered trade marks or trade names. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The Respondent has sent phishing emails and used the disputed domain name to publish a copycat website impersonating the Complainant.
- The Respondent registered the disputed domain name in bad faith after the Complainant had been using the Trade Mark for decades. The Respondent has registered and used the disputed domain name to take advantage of the Trade Mark and engage in a phishing scheme. The website that the disputed domain name resolves to is an almost identical copy of the Complainant's main corporate website, only in English. The website uses the Complainant's address.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name has been registered and is being used in bad faith.

The onus of proving these elements is on the Complainant.

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 trade mark 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 Panel finds the Complainant has established unregistered trade mark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

The entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The addition of the letter "s" to the Trade Mark is an example of typosquatting (noting that the substitutions of "ö" by "o" and "ä" by "a" are due to technical limitations in available domain name characters). A domain name which consists of a common, obvious, or intentional misspelling of a trade mark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. [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 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 Complainant has not authorized the Respondent to use the Trade Mark and there is no evidence that the Respondent is commonly known by the disputed domain name.

The evidence provided by the Complainant (i.e., emails impersonating one of the Complainant's employees) indicates that the disputed domain name has been used to perpetrate a fraudulent scheme. Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off and phishing) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Under paragraph 4(b)(iv) of the Policy, there is evidence of registration and use of the disputed domain name in bad faith where a respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website.

The Panel finds it unlikely that the disputed domain name was registered without knowledge of the Complainant and the Trade Mark, given the Complainant's longstanding reputation. The Respondent's objective in registering and using the disputed domain name appears to be to attract Internet users for potential gain. This finding is reinforced by the Respondent's use of the website at the disputed domain name to: (a) host an English-version website that replicates the Complainant's website (including featuring the Complainant's logo and address); and (b) send fraudulent emails.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off and phishing) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <hoglandssag.com> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: December 2, 2025