

ADMINISTRATIVE PANEL DECISION

Kia America, Inc. v. Name Redacted

Case No. D2025-4124

1. The Parties

The Complainant is Kia America, Inc., United States of America (“United States”), represented by Buchalter, APC, United States.

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <kiaapp.com> is registered with GoDaddy.com, LLC (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 (Registration Private, Domains By Proxy, LLC) 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 amendment to the Complaint on October 15, 2025.

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 11, 2025.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on November 19, 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 an automotive company that offers a range of gasoline, hybrid, plug-in hybrid and electric vehicles sold through a network of over 750 automotive dealerships in the United States. The Complainant is the exclusive United States distributor of Kia vehicles and licensee of numerous KIA and KIA-formative marks owned by Kia Corporation, based in the Republic of Korea. The Complainant owns KIA-formative marks and trademark registrations in its own name, and Kia Corporation also owns thousands of KIA and KIA-formative marks and trademark registrations in the United States, the Republic of Korea, and throughout the world in connection with vehicles and related goods and services including:

- KIA, United States Reg. No. 1723608, registered on October 13, 1992 for, inter alia, tires, bicycles, trucks, and motorcycles in International Class 12.

The Complainant’s primary website is located at the domain name <kia.com> which was registered in 1996.

The disputed domain name <kiaapp.com> was registered on May 1, 2025. At the time of filing of the Complaint, the disputed domain name dynamically redirected to different websites including a pay-per-click website with links to cars, and an error page. At the time of this decision, the disputed domain name 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 <kiaapp.com>² is confusingly similar to the Complainant’s KIA marks and the Complainant’s <kia.com> domain name. The disputed domain name incorporates the entirety of the Complainant’s KIA trademark. The disputed domain name, in addition to incorporating the entirety of the Complainant’s KIA trademark, adds the descriptive term “app”. There is no question that the disputed domain name is confusingly similar to the Complainant’s KIA marks and <kia.com> domain name.

² The Complainant has referenced twice a different domain name in the Complaint likely as a result of cutting and pasting from its prior Complaint filed with the Center. The Panel will take notice that all references to this domain name should have been for <kiaapp.com> and issue its ruling on that basis.

The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not known by the disputed domain name nor could the Respondent have developed any common law trademark rights in the Complainant's senior and well-known KIA marks or marks belonging to the Complainant's parent company. The Respondent is not affiliated with the Complainant and the Complainant has not licensed or permitted the Respondent to use the KIA trademark, any other of the KIA marks, or any domain names incorporating them.

The Respondent merely owns the disputed domain name in connection with a parked page that sometimes advertises links to Kia and other car dealers, sometimes advertises the disputed domain name for sale, and sometimes takes users to a page that says, in part, "This site can't be reached".

The Respondent has registered and passively owns the disputed domain name in bad faith. The Complainant is aware of no evidence that the Respondent has used the disputed domain name for any legitimate or good faith purpose. The Respondent appears to be engaged in a textbook case of bad faith domain name hijacking.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has demonstrated it has trademark rights in the KIA mark. The addition of the term "app" does not prevent a finding of confusing similarity. See section 1.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions Third Edition ("[WIPO Overview 3.0](#)").

Accordingly, the disputed domain name is confusingly similar to a mark in which the Complainant has rights.

B. Rights or Legitimate Interests

The Complainant has presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name and has not been commonly known by the disputed domain name. The fact that the Respondent obtained the disputed domain name decades after the Complainant had begun using its KIA mark indicates that the Respondent sought to piggyback on the mark for illegitimate reasons.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the disputed domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Here, the Respondent has provided no evidence of any rights or legitimate interests in the disputed domain name. Moreover, the disputed domain name incorporates the Complainant's trademark in its entirety along with the descriptive term "app" which is short for application, potentially conveying to unsuspecting Internet users the false belief that any website or email connected to the disputed domain name is associated with the Complainant. Such a risk of affiliation or association with the Complainant and its mark cannot constitute fair use.

In the absence of any evidence rebutting the Complainant's prima facie case indicating the Respondent's lack of rights or legitimate interests in respect of the disputed domain name, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The disputed domain name was registered decades after the KIA mark was first registered and used. The evidence provided by the Complainant with respect to the extent of use of its KIA mark combined with the additional term in the disputed domain name and absence of any evidence provided by the Respondent to the contrary, is sufficient to satisfy the Panel that, at the time the disputed domain name was registered, the Respondent knew of the Complainant's KIA mark, and knew it had no rights or legitimate interests in the disputed domain name.

Moreover, UDRP panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See section 3.1.4 of the [WIPO Overview 3.0](#).

The Panel finds that the only plausible basis for registering and using the disputed domain name is for illegitimate and bad faith purposes. In addition, in view of section 3.3 of the [WIPO Overview 3.0](#), the current inactive state of the disputed domain name does not prevent a finding of bad faith under the doctrine of passive holding particularly noting the reputation of the KIA mark, composition of the disputed domain name clearly targeting the KIA mark, and lack of response from the Respondent. The Panel also finds that the Respondent's use of a third party information to register the disputed domain name which is further evidence of bad faith.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) 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 <kiaapp.com> be transferred to the Complainant.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: December 5, 2025