

ADMINISTRATIVE PANEL DECISION

Microsoft Corporation v. SHYNESTA Reed, SHYNESTA Reed
Case No. D2025-4381

1. The Parties

Complainant is Microsoft Corporation, United States of America ("United States"), represented by Edward Nathan Sonnenbergs Inc., South Africa.

Respondent is SHYNESTA Reed, SHYNESTA Reed, United States.

2. The Domain Name and Registrar

The disputed domain name <dragondictations.net> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 24, 2025. On October 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 24, 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 (Contact Privacy Inc. Customer 0168801528) and contact information in the Complaint. The Center sent an email communication to Complainant on October 28, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on October 29, 2025.

The Center verified that 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 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 19, 2025.

The Center appointed Georges Nahichevansky 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

Complainant, Microsoft Corporation, is a technology company that develops and provides personal computer software systems and applications as well as a number of other products and services. In 2022, Complainant acquired Nuance Communications, Inc. (“Nuance”) which had developed and provided AI-driven productivity and dictation solutions. These included software products that use the name and mark DRAGON such as Dragon Professional, Dragon Legal, Dragon Law, and Dragon Anywhere (the “Dragon Products”). Complainant continues to offer the Dragon Products and maintains a website at “nuance.com” which provides information concerning Complainant’s Nuance related products and services, including the Dragon Products.

Complainant owns a number of registrations for its DRAGON mark in several jurisdictions around the world. These include, inter alia, registrations in the United States for the word mark DRAGON, Registration Nos. 6292101, 3181860, and 3633223, which issued to registration on March 16, 2021, December 5, 2006, and June 2, 2009. Also of relevance to this proceeding, Complainant owns registrations for its DRAGON mark in Australia, Registration No. 737276 which issued to registration on December 11, 1998, and the United Kingdom, Registration Nos. UK00900524538 and UK0091827002, which issued to registration on March 9, 1999, and November 24, 2020.

Respondent appears to be based in the State of Texas in the United States. The disputed domain name was registered on September 27, 2023. At some point thereafter, Respondent started using the disputed domain name for a website that featured the name and mark DRAGON along with a header tab that read “Dragon Speech,” and which purportedly offered some of Complainant’s Dragon Products for sale. The disputed domain name currently continues to be used for this website, which offers Complainant’s Dragon Products in United States dollars, but contains contact numbers in Australia and the United Kingdom.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it is a well-known and leading provider of personal computer software systems and applications as well as many other products and services, and that its offerings are used by approximately 1.4 billion consumers around the world. Complainant further contends that its Dragon Products are likewise leading solutions in the AI-driven productivity and dictation field.

Complainant maintains that the disputed domain name is confusingly similar to its DRAGON mark as it fully and clearly incorporates the DRAGON mark with the non-distinctive and descriptive word “dictations.”

Complainant asserts that Respondent does not have rights or legitimate interests in the disputed domain name as Respondent (i) is not licensed or otherwise permitted by Respondent to use Complainant’s DRAGON trademark, (ii) registered the disputed domain name after Complainant commenced use of and registered its DRAGON mark and (iii) has not made a legitimate noncommercial or fair use of the disputed domain name. In that regard, Complainant maintains that Respondent is not an authorized distributor or reseller of Complainant’s Dragon Offerings and is not using the disputed domain name for a bona fide offering of goods and services. Complainant contends that Respondent’s website on its face suggests an affiliation with Complainant, when none exists, and does not include any information regarding the true identity of the provider of the website, thus perpetuating “the false impression of an official commercial connection between the Website and the Complainant.”

Lastly, Complainant argues that Respondent registered and is using the disputed domain name in bad faith as Respondent (i) has no relationship to Complainant or its trademarks, (ii) was likely aware of the DRAGON mark when Respondent registered the disputed domain name, and (iii) has used the disputed domain name

to attract and redirect web users to Respondent's website which is designed to suggest a connection to Complainant when none exists or to suggest that Respondent is an affiliated dealer of Complainant which is not the case.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) 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

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)") at section 1.7. Complainant has provided evidence that it owns a trademark registration for the DRAGON mark and that such issued to registration well before Respondent registered the disputed domain name.

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. *Id.*

The Panel finds that the disputed domain name is confusingly similar to Complainant's DRAGON mark as the disputed domain name fully incorporates the DRAGON mark. Although the addition of other terms, here the common word "dictations" may bear on the assessment of the second and third elements, the Panel finds the addition of such word does not prevent a finding of confusing similarity between the disputed domain name and the mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The first element of the Policy has thus been established by Complainant.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. 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.

Here, there is no evidence that Respondent has been licensed or otherwise authorized to use Complainant's DRAGON mark or to register a domain name incorporating the DRAGON mark and/or that Respondent is commonly known by the disputed domain name. Respondent, who has chosen not to appear in this proceeding, has certainly not provided anything that would show otherwise.

In addition, Respondent's use of the disputed domain name belies any claim that Respondent has a legitimate interest in the disputed domain name or is making a bona fide offering of goods and services as contemplated in such cases as *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#). First, Respondent registered the disputed domain name that on its face carries a risk of implied affiliation with Complainant and its DRAGON offerings by including the word "dictations" which directly relates to Complainant's products. Second, the website that was, and is currently, posted at the disputed domain name prominently features the name and mark DRAGON standing alone and in a header tab that reads "Dragon Speech" along with multiple copies of Complainant's DRAGON product images which in total heighten the likelihood that a consumer would believe Respondent's website is affiliated with, authorized by, or otherwise connected to Complainant. Third, the website has a glaring absence of any disclosure regarding the operator of the website or Respondent's lack of affiliation with or authorization from Complainant. Indeed, the website text is carefully crafted to be vague and to implicitly suggest a connection, affiliation or authorization from Complainant with such statements as "We are wholeheartedly committed to delivering top-tier support for the complete Dragon product line" next to a photograph of an individual providing support services that includes Complainant's logo and the words "Nuance® Dragon Professional®."

Lastly, it is not altogether clear whether or not the Dragon Products offered on Respondent's website are legitimate. Respondent's offerings copy Complainant's own depictions of its products and prominently includes the DRAGON mark along with the Nuance name, but when a user attempts to purchase such, the user must provide personal information and credit card information and the privacy policy the user can review relates to an entity called the "Clover Network." Such vagueness along with offers of discounts of up to twenty percent does create a cloud as to whether the products being sold are legitimate or in fact illicit copies. As Respondent has not appeared in this proceeding to explain or justify its actions, there is a serious question as to legitimacy of what is being offered on Respondent's website.

In all, the disputed domain name and its associated website are likely to be mistakenly seen by consumers as related to Complainant and its DRAGON mark for the benefit of Respondent and are not operating on the level of a legitimate reseller. As such, the Panel finds it more likely than not that Respondent does not have any rights or legitimate interests in the disputed domain name. [WIPO Overview 3.0](#) at section 2.5. and 2.8¹.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for 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.

¹The Panel notes that Complainant initiated a successful UDRP proceeding against Respondent earlier this year involving the domain name <dragon-store.org>. See *Microsoft Corporation v. SHYNESTA Reed, SHYNESTA Reed*, WIPO Case No. [D2025-1341](#). While Complainant has not relied on this case in its Complaint, the Panel notes that such also puts into the question the legitimacy of Respondent's actions and whether Respondent is making a bona fide use of the disputed domain name.

In view of Respondent's actions, and the questionable legitimacy of the DRAGON Products being sold by Respondent, it appears that Respondent's registration and use of the disputed domain name, which is clearly based on Complainant's DRAGON mark, has been done opportunistically and in bad faith for the benefit or profit of Respondent. The disputed domain name on its face suggests a connection to Complainant and its DRAGON products and was registered well after Complainant had established rights in its DRAGON mark. Respondent has also used the disputed domain name to attract and redirect web users to Respondent's website to sell purported Dragon Products for Respondent's profit. That Respondent is using the disputed domain name in bad faith is heightened by the likelihood that the appearance and content of the website to which the disputed domain name resolves to, as already noted, may be seen as authorized by, affiliated with or controlled by Complainant, when such is not the case. In all, Respondent's actions make it quite evident that Respondent was fully aware of Complainant and its DRAGON name and mark when Respondent opportunistically registered the disputed domain name for the benefit of Respondent.

The Panel thus finds that 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 <dragondictations.net> be transferred to Complainant.

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: December 11, 2025