

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. 漳州风云电气设备有限公司 (zhang zhou feng yun dian qi she bei you xian gong si)

Case No. D2025-5013

1. The Parties

Complainant is ABB Asea Brown Boveri Ltd., Switzerland, represented by Taylor Wessing Partnerschaftsgesellschaft mbB, Germany.

Respondent is 漳州风云电气设备有限公司 (zhang zhou feng yun dian qi she bei you xian gong si), China.

2. The Domain Name and Registrar

The disputed domain name <expertabb.com> (the “Domain Name”) is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on December 3, 2025. On December 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 4, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (UNKNOWN) and contact information in the Complaint. The Center sent an email communication to Complainant on December 8, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint in English on December 8, 2025.

On December 8, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Domain Name is Chinese. On December 8, 2025, Complainant requested English to be the language of the proceeding. Respondent did not submit any comment on Complainant’s submission.

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 Respondent in Chinese and English of the Complaint, and the proceedings commenced on December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. Respondent sent email communications to the Center in Chinese on December 12, 2025, and January 8, 2026. The Center notified the Parties of the commencement of Panel appointment process on January 8, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on January 13, 2026. 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 is part of ABB Group, a worldwide leading group of companies, operating in particular in the field of power and automation technology with over 100,000 employees in over 100 countries worldwide and billions of USD of annual revenues. Complainant's products and services are presented and advertised on the ABB websites at "<https://global.abb/group/en>"; "<https://new.abb.com>". These include, for example, products from the areas of high, medium and low voltage, industrial automation and comprehensive services in these areas.

Complainant owns numerous registered trademarks for the ABB mark, including:

- International Registered trademark number 781902 for the ABB word and design mark, registered on March 27, 2002;
- International Registered trademark number 781685 for the ABB word mark, registered on March 27, 2002; and
- International Registered trademark number 613568 for the ABB word and design mark, registered on October 25, 1993.

The Domain Name was registered on October 17, 2024, and resolved to a website claiming to be operated by a Chinese company, Guangzhou Qiming Automation Technology Co., Ltd., located in Guangzhou City, Guangdong Province, China. The website features products allegedly offered by ABB as well as other companies.

On December 12, 2025, a party named Mr. Aron with an email address of [...] @outlook.com, which is shown on the Respondent's website as a contact email, sent an email to the Center in Chinese, indicating that:

"We wish to suspend the current administrative proceedings in order to seek a negotiated settlement. The Domain Name <expertabb.com> has ceased resolving its DNS, and the website is no longer accessible (the Domain Name expires on October 17, 2026, and will remain inactive until then). We will not renew the Domain Name after its expiration. We hope to reach a settlement in this manner."

On January 8, 2026, Mr. Aron sent another email to the Center, indicating that the Domain Name has ceased operation.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Complainant contends that (i) the Domain Name is confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations for ABB, and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known ABB products and services.

Complainant notes that it has no affiliation with Respondent, that Respondent is using the Domain Name as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Further, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

B. Respondent

Respondent did not formally reply to Complainant's contentions, but sent two email communications to the Center, as noted above in Section 4.

6. Discussion and Findings

6.1 Preliminary Issue: Language of Proceedings

The Rules, in paragraph 11(a), provide that unless otherwise agreed by the parties or specified otherwise in the registration agreement between the respondent and the registrar in relation to the disputed domain name, the language of the proceedings shall be the language of the registration agreement, subject to the authority of the panel to determine otherwise, having regard to the circumstances of the administrative proceedings.

Complainant submitted its original Complaint in English. According to the information received from the Registrar, the language of the Registration Agreement for the Domain Name is Chinese.

Complainant requested that the language of the proceedings be English for several reasons, including the fact that the website that the Domain Name resolved to, was written entirely in English and the contact details provided on the website was provided in English. Accordingly, Complainant submits that Respondent is able to communicate in English. Complainant also submits that the administrative proceeding should be in English to avoid incurring additional expenses and delay.

Respondent did not comment on Complainant's request for the language of the proceedings be English.

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).

The Panel accepts Complainant's submissions regarding the language of the proceedings. The Panel notes that the Domain Name does not have any specific meaning in the Chinese language, and that the Domain Name is formed using Latin characters, contains Complainant's ABB trademark in its entirety and the website to which it resolves includes content published in English, including contact details of Respondent. The Panel further notes that the Center notified the Parties in Chinese and English of the language of the proceedings as well as notified Respondent in Chinese and English of the Complaint. Respondent chose not to comment on the language of the proceedings, nor did Respondent choose to file a formal Response in Chinese or English.

Having considered all the circumstances of this case, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.2 Substantive Issues

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

- (i) the 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 Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

To prevail, Complainant has to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

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. See [WIPO Overview 3.0](#), section 1.2.1. Complainant has provided evidence of its rights in the ABB trademarks, as noted above under section 4. Complainant has therefore proven that it has the requisite rights in the ABB trademarks.

With Complainant's rights in the ABB trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the generic Top-Level Domain ("gTLD") in which the respective Domain Name is registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademarks. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant's ABB trademarks. The ABB trademarks are recognizable in the Domain Name.

In particular, the Domain Name's inclusion of Complainant's ABB trademarks in their entirety, with an addition of the term "expert" in the Domain Name, does not prevent a finding of confusing similarity between the Domain Name and the ABB trademarks. See section 1.8 of the [WIPO Overview 3.0](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production on this element shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP. [WIPO Overview 3.0](#), section 2.1.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its ABB trademarks when registering the Domain Name and does not have any rights or legitimate interests in the Domain Name. In addition, Complainant asserts that Respondent is not authorized to promote Complainant's goods or services and is not related to Complainant. Respondent is also not known to be associated with the ABB trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name, or has acquired trademark or service mark rights in the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of the filing of the Complaint, the Domain Name resolved to a website clearly featuring the ABB mark on its home page and in its banner and under “featured brands”, and purportedly offering the sale of Complainant’s ABB products, displaying Complainant’s trademarks, as well as promoting products from Complainant’s competitors.

Moreover, the Panel notes that the Domain Name includes Complainant’s trademark ABB, with the term “expert” and is inherently misleading and carries a risk of implied affiliation. See [WIPO Overview 3.0](#), section 2.5.1. Such composition of the Domain Name affirms Respondent’s intention of taking unfair advantage of the likelihood of confusion between the Domain Name and Complainant as to the origin or affiliation of the websites at the Domain Name, which does not confer rights or legitimate interests on Respondent. [WIPO Overview 3.0](#), section 2.5.1. Respondent has also not disclosed its relationship with Complainant and Complainant had submitted that it is not affiliated with Respondent.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name to rebut Complainant’s prima facie case.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent’s actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.”

The Panel finds that Complainant has provided ample evidence to show that the registrations of the ABB trademarks well predate the registration of the Domain Name. Complainant is also well established and known. Indeed, the record shows that Complainant’s ABB trademarks and related products and services are widely known and recognized.

Therefore, the Panel is of the view that Respondent was aware of the ABB trademarks when it registered the Domain Name. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

In particular, the registration of the Domain Name incorporating Complainant's ABB trademarks in their entirety suggests Respondent's actual knowledge of Complainant's rights in the ABB trademarks at the time of registration of the Domain Name and its effort to opportunistically capitalize on the registration and use of the Domain Name. Further, UDRP panels have consistently found that the mere registration of a domain name that is identical or 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](#)

It is more likely than not that Respondent registered and is using the Domain Name to confuse and mislead consumers looking for well-known ABB products and services of Complainant or authorized partners of Complainant. The use of the ABB trademarks in the Domain Name is intended to capture Internet traffic from Internet users who are looking for Complainant's products and services. The use of the Domain Name to divert users to a website featuring and purportedly promoting the sale of Complainant's ABB products, displaying Complainant's trademarks, as well as promoting products from Complainant's competitors, by creating a likelihood of confusion with Complainant's mark is in bad faith.

Essentially, by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users looking for bona fide and well-known ABB products and services of Complainant or authorized partners of Complainant to Respondent's website by creating a likelihood of confusion with Complainant's ABB mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website.

Finally, the Panel also notes the reputation of the ABB trademarks, and the failure of Respondent to submit a formal Response to the Complaint or to provide any evidence of actual or contemplated good-faith use. Although the email on December 12, 2025, from a party named Mr. Aron, possibly a representative of Respondent indicated that there was a desire "to suspend the current administrative proceedings in order to seek a negotiated settlement", there was no follow up to provide a formal Response.

Accordingly, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <expertabb.com> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: January 27, 2026