

ADMINISTRATIVE PANEL DECISION

Kontron Europe GmbH v. Auguste Barrellon
Case No. D2025-5016

1. The Parties

The Complainant is Kontron Europe GmbH, Germany, represented by Wuesthoff & Wuesthoff Patentanwälte und Rechtsanwalt PartG mbB, Germany.

The Respondent is Auguste Barrellon, France.

2. The Domain Name and Registrar

The disputed domain name <kontrcn.com> is registered with Wild West Domains, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed 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 disputed domain name. On December 3, 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 (Wild West Domains, LLC, Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 4, 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 December 5, 2025.

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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 2, 2026.

The Center appointed Francine Tan as the sole panelist in this matter on January 7, 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

The Complainant is a global company in the “Internet-of-Things” (IoT) sector. It was established in 1959.

The Complainant is the owner of various trademark registrations for the word mark KONTRON, including:

- (i) European Union registration No. 005280367, applied for on August 28, 2006, registered on November 15, 2007; and
- (ii) International registration No. 397692, applied for on March 22, 1973, registered on March 22, 1973.

The disputed domain name was registered on November 10, 2025. The disputed domain name resolved to a parked page with pay-per-click links in German and it has been used to send fraudulent emails.

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 confusingly similar to a trademark in which it has rights. The letter “c” in the disputed domain name is shaped like an open or imperfect letter “o”, which contributes to an overall visual identical impression of the signs.

Further, the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant asserts that the disputed domain name is being used by the Respondent to offer identical goods and services to those provided by the Complainant, namely “domain broker service, TV over Internet, and TV via browser” services.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent chose the disputed domain name on purpose for typosquatting purposes, as “kontrcn” is very similar to “kontron”. The Respondent is using the disputed domain name also for sending phishing emails to impersonate actual employees of the Complainant, and thereby to obtain sensitive information or to perpetrate fraud.

B. Respondent

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

6. Discussion and Findings

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“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.

Virtually the entirety of the mark is reproduced within the disputed domain name except that the second letter “O” in the Complainant’s KONTRON mark has been substituted with the letter “C”. A domain name which consists of an obvious or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Under the second and third elements, panels will normally find that employing a misspelling signals an intention on the part of the respondent to confuse users seeking or expecting the complainant. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed as applicable to this case: phishing and impersonation, 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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed as applicable to this case: phishing and impersonation constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. In the present case, the Complainant provided evidence that the Respondent even knew of an actual employee in the Complainant’s business and used his name in the fake email address connected to the disputed domain name to send emails under false pretenses. The use of a domain name for per se illegitimate activity is “manifestly considered evidence of bad faith” [WIPO Overview 3.0](#), section 3.1.4.

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 Respondent failed to provide any rebuttal evidence, much less any response, to refute the case.

The Panel therefore 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 <kontrcn.com> be transferred to the Complainant.

/Francine Tan/

Francine Tan

Sole Panelist

Date: January 13, 2026