

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. zhongjin huang
Case No. D2025-5017

1. The Parties

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

The Respondent is zhongjin huang, China.

2. The Domain Name and Registrar

The disputed domain name <abbvdfs.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 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 4, 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 (UNKNOWN / Data Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 5, 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 the same day.

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 8, 2026.

The Center appointed Olga Zalomiy as the sole panelist in this matter on January 19, 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 Swiss company, which is a part of ABB Group, a worldwide group of companies, operating in the field of power and automation technology. The Complainant owns multiple registrations for the ABB trademark, such as:

- the International Registration No. 781685 for the ABB trademark, registered on March 27, 2002;
- the International Registration No. 1207136 for the ABB trademark, registered on January 24, 2014; and
- the United States of America registration No. 1777685 for the ABB trademark, registered on June 22, 1993.

The Complainant contends its mark is well known. The Complainant also owns the <abb.com> domain name that incorporates its trademark.

The Respondent registered the disputed domain name on February 17, 2025. The disputed domain name directs users to a website that offers various automation components for sale. The website purportedly offers for sale the Complainant's goods and displays the Complainant's mark in a stylized manner that is nearly identical to that used by the Complainant. The website includes a "Featured Manufacturers" section that lists 11 manufacturers other than the Complainant. The "About Us" section of the website displays the following statements: "ABB VFDs – a leading Chinese supplier of industrial automation parts." , "Exclusive inventory of surplus automation parts from ABB, [...], and more." The website also contains the following disclaimer: "Disclaimer: ABB VFDs is not an authorized distributor of the listed manufacturers or trademarks; therefore, the manufacturer's warranty does not apply".

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 its well-known ABB trademark because the disputed domain name reproduces the Complainant's mark in its entirety. In the Complainant's view, addition of the descriptive term "vfds"¹ does not prevent a finding of confusing similarity between its mark and the disputed domain name.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name because (i) the Respondent is not affiliated with, nor has it been authorized by, the Complainant to use its ABB trademark in the disputed domain name; (ii) it's not an official distributor of the Complainant; (iii) there is no evidence that the Respondent is commonly known by the disputed domain name; and (iv) the Respondent's use of the disputed domain name does not qualify as "bone fide offering of goods or services" by a reseller under the Oki Data test.

The Complainant asserts that the Respondent registered the disputed domain name in bad faith, because the mere fact that the Respondent registered a disputed domain name that is highly similar to the Complainant's well-known trademark, and offered purportedly the Complainant's products on the website

¹ The evidence shows that the abbreviation "VFD" stands for "variable frequency drive".

associated with that disputed domain name, demonstrates that the Respondent registered the disputed domain name with knowledge of the Complainant and its trademark. The Complainant argues the Respondent is using the disputed domain name in bad faith because it is using the disputed domain name to intentionally attract for commercial gain, Internet users to a website or online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation or endorsement of the website or location or of a product or services on the website or location.

B. Respondent

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

6. Discussion and Findings

Pursuant to paragraph 4(a) of the Policy, to succeed in these proceedings, the Complainant must prove each of the following elements with respect to the disputed domain name:

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

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.

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

Although the addition of other terms here, "vfds" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8. The inclusion of the generic Top-Level Domain ".com" is typically disregarded in the context of the confusing similarity assessment, being a technical requirement of registration. [WIPO Overview 3.0](#), section 1.11.1.

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 evidence on record shows that the Respondent is not commonly known by the disputed domain name. The Respondent has not been authorized by the Complainant to use the Complainant's trademark in a domain name. The Respondent is not making noncommercial or fair use of the disputed domain name.

Previous UDRP panels have recognized that resellers or distributors using domain names containing the complainant's trademark to undertake sales of the complainant's goods may be making a bona fide offering of goods and thus have rights or legitimate interests in such domain names in some situations.

Outlined in the Oki Data case,² the following cumulative requirements must be satisfied for the respondent to make a bona fide offering of goods or services:

- “(i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and
- (iv) the respondent must not try to corner the market in domain names that reflect the trademark.”

Here, the disputed domain name resolves to the website which purportedly offers for sale a wide range of products under the Complainant's trademark and displays the Complainant's mark in a stylized manner that is nearly identical to that used by the Complainant. In addition, the website includes a “Featured Manufacturers” section that lists 11 manufacturers other than the Complainant whose products the website also seemingly offers. The website contains the following buried disclaimer: “Disclaimer: ABB VFDs is not an authorized distributor of the listed manufacturers or trademarks; therefore, the manufacturer's warranty does not apply”. However, because the Respondent purportedly offers goods of other manufacturers on its website and the disclaimer is not prominent, its use of the disputed domain name does not satisfy all of the Oki Data requirements. As a result, the Respondent is not making a bona fide offering of goods or services.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name incorporating the Complainant's well-known trademark and the term “vfds” many years after the Complainant's first trademark registration. The absence of a credible explanation for choosing the disputed domain name, the composition of the disputed domain name, the Respondent's use of the disputed domain name to direct to a website purportedly offering for sale the Complainant's goods along with goods from its competitors, and the statement that “Exclusive inventory of surplus automation parts from ABB, [...], and more”, indicate that the disputed domain name was registered with the knowledge of the Complainant and its trademark. As a result, the Panel concludes that the disputed domain name was registered in bad faith.

² See [WIPO Overview 3.0](#), section 2.8.1; and *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The UDRP establishes that, for purposes of paragraph 4(a)(iii), “bad faith” registration and use of a domain name can be established by a showing of circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to source, sponsorship, affiliation or endorsement of the respondent’s website or location, or of a product or service on the respondent’s website or location. See Policy, paragraph 4(b)(iv).

Prior UDRP panels have found “the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant’s mark: (i) actual confusion; (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent’s commercial benefit, even if unsuccessful; (iii) the lack of a respondent’s own rights to or legitimate interests in a domain name; [...]” WIPO Overview, section 3.1.4.

Here, the Respondent, who has no rights to or legitimate interests in the disputed domain name, registered the disputed domain name that incorporates the Complainant’s well-known trademark and is using it to operate an online store purportedly selling goods under the Complainant’s trademark. The website prominently displays the Complainant’s trademark in a stylized manner nearly identical to that used by the Complainant and states that it sells ABB goods and goods of other manufacturers. While the website under the disputed domain name contains a disclaimer concerning the Respondent not being an authorized distributor of any of the brand owners, the disclaimer is inconspicuous. Therefore, the Panel concludes that the Respondent registered and is using the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to the Respondent’s website or other online location, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation or endorsement of the Respondent’s website or location, or of a product or service on the Respondent’s website.

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 <abbvfds.com> be transferred to the Complainant.

/Olga Zalomiy/

Olga Zalomiy

Sole Panelist

Date: February 2, 2026