

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. 李亮 (li liang)

Case No. D2025-5041

1. The Parties

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

The Respondent is 李亮 (li liang), China.

2. The Domain Name and Registrar

The disputed domain name <abb-modules.com> 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 4, 2025. On December 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 5, 2025, the Registrar transmitted by email to the Center its verification disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (UNKNOWN) 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 in English to the Complaint on December 5, 2025.

On December 5, 2025, the Center informed the parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On December 5, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the 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 the Respondent of the Complaint, and the proceedings commenced on December 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 26, 2025.

The Center appointed Linda Chang as the sole panelist in this matter on December 30, 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, ABB Asea Brown Boveri Ltd., is part of ABB Group, a worldwide group of companies operating in particular in the field of power and automation technology. The Complainant claims that it has over 100,000 employees in over 100 countries worldwide and billions of USD of annual revenues. The Complainant's group has been on the Global 500 list for 24 consecutive years, which ranks the world's largest companies.

The Complainant owns numerous trademark registrations for ABB trademark, including:

- the International trademark ABB Registration No.527480, registered on May 11, 1988, in classes 1, 6, 7, 8, 9, 10, 11, 12, 14, 16, and 17;
- the European Union trademark **ABB** Registration No.002628964, registered on November 21, 2003, in classes 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 25, 26, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;
- the United States of America trademark **ABB** Registration No. 2904097, registered on November 23, 2004, in classes 7, 8, 9, 35, 37, 38, 40, 41, and 42.

The Complainant's products and services are presented and advertised on its own website at "www.abb.com/global/en" and "www.new.abb.com".

The disputed domain name <abb-modules.com> was registered on June 28, 2024. Presently, the disputed domain name resolves to an invalid website. According to the Complainant's evidence, the disputed domain name previously resolved to a website displaying the Complainant's **ABB** trademark and allegedly offering the Complainant's products, together with the products from the Complainant's competitor.

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:

- i) the disputed domain name consists of the distinctive trademark ABB and the descriptive addition "modules". Therefore, the disputed domain name has high similarities with the Complainant's ABB trademark. In addition, such similarities are amplified by the fact that the Respondent uses the Complainant's **ABB** trademark on the website associated with the disputed domain name in an identical manner to that on the Complainant's website;

- ii) the Respondent is neither affiliated with, nor otherwise authorized or licensed by the Complainant to use the ABB trademark in connection with the disputed domain name or otherwise. The Respondent is not an official intermediary or distributor of the Complainant;
- iii) there is no evidence indicating that the Respondent is commonly known by the disputed domain name;
- iv) the Respondent is not an authorized reseller of the Complainant's products and does not meet criteria established in the Oki Data case (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) for legitimate use by a reseller;
- v) the Respondent uses the disputed domain name in connection with a website offering a range of purported ABB products, thereby creating a likelihood of confusion with the Complainant's ABB trademark. In addition, it is not a legitimate use that the website associated with the disputed domain name also purportedly offers products from the Complainant's competitor;
- vi) the composition of the disputed domain name and the Respondent's use of the disputed domain name show that the Respondent has full knowledge of the Complainant and its ABB trademark when registering the disputed domain name; and
- vii) the Respondent's registration and use of the disputed domain name are to capitalize on, or otherwise take advantage of, the reputation of the Complainant and its ABB trademark, thereby driving Internet traffic to the website associated with the disputed domain name for commercial gain.

B. Respondent

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

6. Discussion and Findings

6.1 Procedural Issues - Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that 1) using Chinese as language of the proceeding would unfairly disadvantage and burden the Complainant and delay the proceeding and adjudication of this matter; 2) the website associated with the disputed domain name contained English content, which indicates that the Respondent is able to understand English.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

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).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

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 3.0](#), section 1.7.

Based on the available records, the Complainant has shown rights in respect of the ABB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The generic Top-Level Domain ("gTLD") ".com" as a standard registration requirement should be disregarded in the assessment of confusing similarity under the Policy.

The entirety of the ABB trademark is reproduced within the disputed domain name. While the hyphen “-” and the term “modules” are included, the ABB trademark remains clearly recognizable in the disputed domain name. The Panel finds that the extra hyphen and term do not prevent a finding of confusing similarity between the disputed domain name and the ABB trademark. Accordingly, the disputed domain name is confusingly similar to the ABB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

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.

The information in the case file shows that:

- the disputed domain name resolved to a website displaying the Complainant's **ABB** trademark and allegedly offering the Complainant's products, together with the products from the Complainant's competitor. Such use of the disputed domain name indicates the Respondent's intention to divert Internet traffic to the website associated with the disputed domain name by confusing the relationship between the website associated with the disputed domain name, the Complainant and its ABB trademark, which cannot be deemed as a *bona fide* offering of goods or services or a legitimate noncommercial or fair use;
- there is no evidence proving that the Respondent has been commonly known by the disputed domain name;
- taking into account the layout of the website, the nature of the disputed domain name, incorporating the Complainant's ABB trademark in its entirety with the additional term “modules” that can make Internet users think of various modules of the Complainant's power and automation technology, carries a risk of implied affiliation with the Complainant; and

- no other factors demonstrate any rights or legitimate interests of the Respondent in the disputed domain name.

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 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 Complainant obtained the trademark registration for ABB as early as in 1988, which significantly predates the registration date of the disputed domain name (June 28, 2024). According to the Complainant's evidence, the Panel accepts that the ABB trademark has gained a high reputation and distinctiveness through the Complainant's continuous and extensive use and advertising worldwide. The Respondent registered the disputed domain name that fully incorporates the Complainant's ABB trademark and resolved the disputed domain name to a website displaying the Complainant's **ABB** trademark and purportedly offering the Complainant's products, together with the products from the Complainant's competitor. The Panel determines that the Respondent had actual knowledge of the Complainant and its ABB trademark at the time of registering the disputed domain name, and bad faith is found.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The disputed domain name resolves to an invalid website at the time of Decision but was once used to host a website that displayed the Complainant's **ABB** trademark and purportedly offered the Complainant's ABB products, together with the products from the Complainant's competitor. The Panel holds that by selecting the disputed domain name confusingly similar to the Complainant's ABB trademark, and using it in the manner as described, the Respondent obviously intended to attract, for commercial gain, Internet users to the disputed domain name and the associated website by creating a likelihood of confusion with the Complainant's ABB trademark as to the source, sponsorship, affiliation, or endorsement of the website associated with the disputed domain name, which constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Given the Respondent's previous use of the disputed domain name. The current non-use of the disputed domain name does not change the Panel's finding of the Respondent's bad faith.

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 <abb-modules.com> be transferred to the Complainant.

/Linda Chang/

Linda Chang

Sole Panelist

Date: January 13, 2026