

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. Zitzki mo, Signa Air Design
Case No. D2025-5086

1. The Parties

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

The Respondent is Zitzki mo, Signa Air Design, United States of America.

2. The Domain Names and Registrar

The disputed domain names <abbcharger.cc>, <abbcharger.top> and <abbcharger.xin> are registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 8, 2025. On December 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 9, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (UNKNOWN / Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 9, 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 9, 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 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 2, 2026.

The Center appointed Zoltán Takács 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 part of ABB Group, a worldwide group of companies operating in particular in the field of power and automation technology with over 100,000 employees in over 100 countries.

ABB Group was ranked 340th in the Fortune Global 500 list of 2020 and has been a global Fortune 500 company for 24 years.

The Complainant is among others owner of the European Union Trademark Registration No. 002628964 with the registration date of November 21, 2003. The mark is comprised of the stylized letters "ABB" in red with white lines intersecting each letter vertically and horizontally (hereinafter referred to as "the ABB Mark" or "the Mark").

The Complainant maintains online presence through its main website "www.abb.com", with the corresponding domain name being registered since February 27, 1990.

The disputed domain names were registered on the following dates: <abbcharger.cc> on October 29, 2025; <abbcharger.top> on October 31, 2025; and <abbcharger.xin> on October 21, 2025.

The disputed domain names used to resolve to identically looking websites that prominently displayed the exact match of the Complainant's Mark and "ABB Charger" and required login credentials (an email address and a password) or registration.

Currently the disputed domain names are inactive.

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 names.

Notably, the Complainant contends that:

- the disputed domain names which incorporate its Mark are confusingly similar to it since the addition of the term "charger" is not sufficient to distinguish the disputed domain names from the mark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain names and is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii) or (iii) or the Policy; and
- the Respondent has registered the disputed domain names with its famous Mark in mind and used them to divert Internet traffic to its websites at the disputed domain names.

The Complainant requests that the disputed domain names be transferred from the Respondent to the Complainant.

B. Respondent

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

6. Discussion and Findings

The Complaint was filed in relation to three domain names registered by the same domain name registrant.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. Due to the fact that the disputed domain names have been registered by the Respondent the Panel finds that this requirement is fulfilled.

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the domain names are 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 domain names; and
- (iii) the domain names have been registered and are 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 names. 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 Complainant's Mark is reproduced and is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the term "charger" in the disputed domain names may bear on assessment of the second and third elements, the Panel finds that the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 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 the disputed domain names.

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 names (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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has submitted sufficient and uncontested evidence that it holds well-established prior rights in the ABB Mark.

The Complainant has never authorized the Respondent to use its mark, in domain names, or otherwise.

The evidence submitted by the Complainant shows that the disputed domain names resolved to identically looking websites that prominently displayed the exact match of the Complainant's Mark and "ABB Charger" and required login credentials (an email address and a password) or registration.

Given the confusing similarity between the disputed domain names and the Complainant's Mark and the absence of any relationship between the Respondent and the Complainant, the Respondent's use of the disputed domain names as mentioned above is neither a *bona fide* use nor a legitimate noncommercial or fair use.

The Panel finds that 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.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy.

In the present case, the Panel notes that prior decisions under the UDRP established the well-known status of the Complainant's ABB Mark (see e.g. *ABB Asea Brown Boveri Ltd. v. Toni Woods*, WIPO Case No. [D2014-1543](#)).

UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The disputed domain names consist of the Complainant's Mark with the mere addition of a descriptive term and the Respondent used the disputed domain names to resolve to identically looking websites that prominently displayed the exact match of the Complainant's Mark and "ABB Charger", and required login credentials (an email address and a password) or registration. Thus, in view of the Panel, the Respondent has registered the disputed domain names with the Complainant's rights in mind attempting to create a likelihood of confusion and trade of the goodwill associated with the well-known ABB Mark. Such targeting is fraudulent and evidence of bad faith.

The disputed domain names are currently inactive.

However, UDRP panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

In this context the Panel notes the reputation of the Complainant's trademark; the composition and previous use of the disputed domain names and finds that in the circumstances of this case the current passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

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 names <abbcharger.cc>, <abbcharger.top>, and <abbcharger.xin> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: January 14, 2025