

ADMINISTRATIVE PANEL DECISION

Kimball International, Inc. v. Lokaditya Hariharan and king blac, Fisher
Case No. D2025-5297

1. The Parties

Complainant is Kimball International, Inc., United States of America ("United States"), represented by Faegre Drinker Biddle & Reath LLP, United States.

Respondents are Lokaditya hariharan and king blac, Fisher, United States.

2. The Domain Names and Registrar

The disputed domain names <kimballinternationals.com> and <kimballinternationals.com> are registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 18, 2025. On December 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 19, 2026, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint.

The Center sent an email communication to Complainant on December 19, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on December 23, 2026.

The Center verified that the Complaint together with the amended 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 Respondents of the Complaint, and the proceedings commenced on December 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 15, 2026. Respondents did not submit any response. Accordingly, the Center notified Respondents' default on January 22, 2026.

The Center appointed Timothy D. Casey as the sole panelist in this matter on February 5, 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 a furnishings company that has operated in the United States since 1950. Complainant has used the mark and trade name KIMBALL since at least 1970 for furniture, particularly in healthcare, education and other office spaces, and owns various trademark registrations in different jurisdictions that consist of the mark KIMBALL or contain KIMBALL as part of the mark (the "KIMBALL Marks"), including:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
KIMBALL	United States	20 and 21	1180193	December 1, 1981
KIMBALL	United States	20	1274354	April 17, 1984

Complainant owns and has operated a website at the domain name <kimballinternational.com> to advertise and provide information related to Complainant's KIMBALL brand products since 2001.

The disputed domain name <kimballinternationals.com> was registered on April 11, 2025, and disputed domain name <kimballinternationals.com> was registered on September 22, 2025. At the time of filing the Complaint, neither the disputed domain name <kimballinternationals.com> nor <kimballinternationals.com> resolved to an active website.

In the amended Complaint, Complainant provided evidence suggesting one of the named Respondents is a track and field athlete and a student at a university, which aligns with the address provided in the contact details. Complainant notes that the other Respondent's contact details address corresponds to an incomplete address.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, Complainant contends that the disputed domain names are confusingly similar to the KIMBALL Marks because the disputed domain names incorporate the KIMBALL Marks in their entirety in combination with the generic term "internationals", in the case of the disputed domain name <kimballinternationals.com>, and a typo squatting and/or homograph spoofing version of the same generic term that substitutes the second letter "i" with the letter "l", in the case of the disputed domain name <kimballinternationals.com>. Complainant contends that neither the addition of the generic term nor the purposeful misspelling are sufficient to avoid confusion between the KIMBALL Marks and the disputed domain names.

Complainant contends Respondent has no rights or legitimate interest in respect of the disputed domain names because: (1) the disputed domain names do not resolve to active websites and are merely parked, which does not evidence a bona fide offering of goods or services or any legitimate noncommercial or fair use of the disputed domain names; (2) the disputed domain name <kimballinternationals.com> is configured

for MX services, which when associated with a parked domain name is neither a bona fide offering of goods or services nor any legitimate noncommercial or fair use of the disputed domain name; (3) there is no evidence that Respondents are commonly known by the KIMBALL Marks; (4) Respondents had no plausible reason to register the disputed domain names in view of Complainant's registered KIMBALL Marks other than to capitalize on Complainant's goodwill; and (5) Respondents were not authorized by Complainant to use the KIMBALL Marks.

Complainant contends that the disputed domain names were registered and are being used in bad faith because: (1) the disputed domain names are clearly based on Complainant's trade name "Kimball International" and largely copy Complainant's domain name <kimballinternational.com>; (2) one of the disputed domain names is associated with active MX servers indicating a likelihood that the disputed domain name might be used for sending emails in bad faith, especially since no active website is associated with the disputed domain name; (3) Respondents' non-use of the disputed domain names constitutes passive holding given the distinctiveness of the KIMBALL Marks and Complainant's reputation in the market, Respondents using a privacy service to conceal their identify, and the implausibility of there being any good faith use to which the disputed domain names could be put given the typo squatting, the passive holding, and the MX server activation; (4) the use of typo squatting and/or homograph spoofing itself; and (5) the confusingly similarity between the disputed domain names and the KIMBALL Marks.

In the amended Complaint, Complainant further contends that Respondents' failure to provide accurate contact details raises a rebuttable presumption of bad fair registration and use, and that a preponderance of the evidence suggests the disputed domain names are subject to common control because the disputed domain names were registered (i) using a privacy shielding service in a short time span, during the same year, (ii) using the same registrar; and (iii) utilizing Complainant's exact registered KIMBALL Marks, the generic term "international" (which comprises Complainant's business name – i.e. Kimball International) in plural or typo-squatting/homograph spoofing format, and as such it would be procedurally efficient and fair and equitable to all parties to consolidate the disputed domain names in this single proceeding.

B. Respondent

Respondents did not reply to Complainant's contentions.

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on Complainant's request.

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.

In addressing Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names were registered more than five months apart and utilize very different contact details in the registrations, which suggests a lack of common control. However, the Panel agrees that the disputed domain names are strikingly similar in their use of the

KIMBALL Marks with the pluralized term “internationals,” which is an odd variation of Complainant’s trade name and is not a commonly used term. The fact that both Respondents used the same registrar also supports Complainant’s contention. The use of privacy services, regardless of the timing, is so common as to not weigh toward either side’s favor. More compelling to the Panel is the use of the name and address of a track and field student at a university as contact details by one of Respondents. The names and addresses associated with such students are publicly available and could have easily been selected by a Respondent without any knowledge or authorization by the student. The Panel has also recently decided another case that involved a respondent address associated with the same university, which seems unlikely to be a coincidence. In view of the above, the Panel finds that the preponderance of the evidence supports a finding of common control of the disputed domain names.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

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 3.1](#), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the mark 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 3.1](#), section 1.7.

Although the addition of other terms here, “internationals” and “international”, 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 names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. The fact that one of the disputed domain names includes a misspelling does not change the finding of confusing similarity. [WIPO Overview 3.1](#), 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent has not rebutted 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 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 disputed domain names are clearly based on and are confusingly similar to Complainant's trade name and domain name, including a misspelling of the same, that Respondent had constructive notice of Complainant's rights in the KIMBALL Marks well prior to registration of the disputed domain names, and that one of the disputed domain names is associated with active MX servers indicating a likelihood that the disputed domain name might be used for sending emails in bad faith, especially since no active website is associated with the disputed domain name. Given the above, the disputed domain names were registered and could be used to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with complainant's mark.

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 3.1](#), section 3.2.1.

In that regard, Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant's trademark, and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Panel finds that 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 <kimballinternationals.com> and <kimballinternationals.com> be transferred to Complainant.

/Timothy D. Casey/

Timothy D. Casey

Sole Panelist

Date: February 19, 2026