ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Calibrium AG, C Partners Holding GmbH v. Richard Hoffmann (previously Agron Elezaj)
Case No. D2026-0186

1. The Parties

The Complainants are Calibrium AG, Switzerland, and C Partners Holding GmbH, Switzerland, represented by Nieder Kraft & Frey, Switzerland.

The Respondent was originally Agron Elezaj, Germany and is now Richard Hoffmann, Germany.

2. The Domain Name and Registrar

The disputed domain name <calibriumfinance.com> (the "Disputed Domain Name") was originally registered with Hosting Concepts B.V. d/b/a Registrar.eu and is now registered with GoDaddy.com LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 16, 2026. On January 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 21, 2026, 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 original named Respondent (redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 23, 2026, 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 amended Complaint on January 26, 2026.

The Center verified that the Complaint together with 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 the original Respondent of the Complaint, and the proceedings commenced on January 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 18, 2026. The Respondent did not submit any Response. Accordingly, the Center notified the Respondent's default on February 20, 2026.

The Center appointed Michael D. Cover as the sole panelist in this matter on March 12, 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.

Subsequently, the Panel was notified by the Center on April 7, 2026, that the Registrar of the Disputed Domain Name had been transferred[1] to GoDaddy.com LLC and that the Registrant (now the Respondent) details had also changed following a transfer to Richard Hoffmann, Germany.

The Panel handed down Procedural Order No. 1 on April 8, 2026, in which the Panel stated that the change in Registrar and Registrant during the pendency of the proceeding constituted an apparent cyberflight and that, in the light of this, the Panel had determined that was appropriate to notify the current Registrant (now the Respondent) of the Complaint and to afford an opportunity for the Registrant to participate in the proceeding.

Accordingly, the Panel directed the Center to:

(i) Notify the current Registrant of the Complaint by email and post by April 8, 2026; and
(ii) Grant the current Registrant a period of seven days from the date of such notification, until April 15, 2026, to indicate whether the current Registrant wished to participate in the present proceeding and, if so to submit a Response;
(iii) The due date for the Decision is extended to April 17, 2026.

The Center notified the Parties of Procedural Order No. 1 accordingly.

In accordance with paragraph 10 of the Rules, the Panel considers the Respondent has been given a fair opportunity to present its case. As no communication was received from the Respondent to the Procedural Order, the Panel will proceed to render a decision.

4. Factual Background

The Complainant is Calibrium AG, a joint stock corporation under Swiss Law, and its affiliate C Partners Holding GmbH, a limited liability company under Swiss Law. The two entities that form the Complainant belong to the same group and both use the same domain names and trademarks. The Complainant offers financial services.

The Complainant, C Partners Holding GmbH, is the proprietor of multiple trademark registrations for the trademark CALIBRIUM across numerous jurisdictions, including the following:

Switzerland trademark Reg No. 696529, registered on December 13, 2016 in Class 36;

Switzerland trademark Reg No. 700201, registered on March 22, 2017 in Class 36;

International trademark Reg No. 1,336,554 registered on December 13, 2016 in Class 36;

United Kingdom trademark Reg No. 801348832, registered on November 10, 2017 in Class 36.

All that is known of the Respondent is that the Respondent's name and other details were redacted for privacy and subsequently revealed as Agron Elezaj, Germany, and upon cyberflight as Richard Hoffmann, Germany.

[1] The initial Registrar confirmed that "the domain was moved during the pending UDRP proceeding due to a manual oversight on our side".

The Disputed Domain Name was registered on November 28, 2025.

The website to which the Disputed Domain Name resolved depicts the Complainant's CALIBRIUM trademark in figurative form, lists the Complainant's domicile as its own address, refers to the Complainant's year of incorporation of 2006, provides publicly-available documents of the Complainant for download and lists the Complainant's members of the Board and general managers, as set out in Annex 2 to the Complainant. Currently the website at the Disputed Domain Name is without any content.

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.

Identical or Confusingly Similar

Notably, the Complainant contends that the Disputed Domain Name consists that of the Complainant's CALIBRIUM in its entirety, with the mere addition of the generic term "finance" and the".com" top level domain ("gTLD"). The Complainant submits that, in cases where a dominant feature of the relevant trademark is recognizable in the disputed domain name, the disputed domain name will normally be considered confusingly similar to that trademark for the purposes of the UDRP (WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), Section 1.7). Here, says the Complainant, the dominant and recognizable element of the Disputed Domain Name is "Calibrium", which is identical to the Complainant's trademark, and that the adjunction of the descriptive term "finance" does nothing to distinguish the Disputed Domain Name from the trademark.

On the contrary continues the Complainant, this reinforces the impression that the Disputed Domain Name is connected to the Complainant, in particular because the Complainant is active in the financial industry.

The Complainant submits that the Panel can therefore readily conclude that the Disputed Domain Name is confusingly similar to the Complainant's CALIBRIUM trademark under the UDRP Policy, Paragraph 4(a)(i).

Rights or Legitimate Interests

The Respondent notes that the Respondent's name and other details were redacted for privacy and that, according to the Complainant, the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name for the reasons that Complainant sets out.

The Complainant states that the Respondent is not affiliated with the Complainant and has not been authorized to use the Complainant's trademark in any form and submits that the absence of any permission or affiliation means that the Respondent's use of the Complainant's trademark is inherently unauthorized and illegitimate and cites *Lego Juris A/S v. Domain Administrator,* WIPO Case No. D2010-1260 and *Linkedin Corporation v. Daphne Reynolds,* WIPO Case No. D2015-1679.

The Complainant submits that there is no evidence of any legitimate business of bona fide use by the Respondent of the Disputed Domain Name and that, to the opposite, the website to which the Disputed Domain Name resolves is a copycat site and refers to Annex 2 to the Complaint. The Complainant states that the Respondent obviously intends for commercial gain misleadingly to divert consumers by copying the Complainant's figurative mark and falsely making references to the Complainant's corporate information. The Complainant submits that the present case constitutes a malicious case of cybersquatting specifically directed against the Complainant and the Complainant's trademark CALIBRIUM.

The Complainant states that, since the Respondent claims to offer financial services by using the Complainant's figurative mark, it does not appear implausible that the Respondent is engaging in the financial services industry without possessing any of the licenses that may be required and that the use of a domain name for unlawful activities can never confer rights or legitimate interests on a respondent.

The Complainant also states that the Respondent does not appear to be commonly known by the Disputed Domain Name and that, to best of the Complainant's knowledge, the Respondent does not hold himself out as and is not otherwise known as "Calibriumfinance" nor does the Respondent appear to have any trademarks containing the term "Calibrium".

Registered and Used in Bad Faith

The Complainant submits that panels have consistently found that the mere registration of a domain name that is confusingly similar to a famous or widely-known trademark by an unaffiliated entity by itself create a presumption of bad faith and cites WIPO Overview 3.1, Section 3.1). The Complainant continues that the Complainant's CALIBRIUM trademark is a distinctive term with no obvious meaning making highly unlikely that anyone would independently come up with the identical name by coincidence.

The Complainant also submits that there is no plausible good faith use for the Disputed Domain Name and that the totality of facts evidences that the Disputed Domain Name was registered in bad faith and is actively being used in bad faith.

The Remedy requested by the Complainant

The Complainant requests that, for the reasons the Complainant has set out, the Panel decide that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

The Complainant must establish on the balance of probabilities that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, that the Respondent has no rights or legitimate interests in the Disputed Domain Name and that 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 3.1"), section 1.7.

The Complainant has shown rights in respect of its CALIBRIUM trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1. The entirety of the CALIBRIUM trademark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the CALIBRIUM trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here, "finance", 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 3.1, section 1.8. In addition, it is well established in UDRP decisions that the applicable gTLD, in this case ".com", is a standard registration requirement and is to be ignored in considering confusing similarity.

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 that 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 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 Respondent has not demonstrated, before notice of the dispute, use or demonstrable preparations to use the Disputed Domain Name in connection with a bona fide offering of goods or services, that the Respondent has been commonly known by the Disputed Domain Name or that the Respondent is making legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain misleadingly to divert consumers or to tarnish the reputation of the Complainant's trademark.

Panels have held that the use of a domain name, as here, for passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, 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.

In the present case, the Panel notes that the Respondent has registered the Disputed Domain Name containing the well-known trademark CALIBRIUM and then the Disputed Domain Name resolved to a website which imitated the website and business of the Complainant.

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. Panels have held that the use of a domain name for illegal activity, such as passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Currently the website at the Disputed Domain Name is without any content. The Panel finds that the passive holding of the Disputed Domain Name combined with the recent cyberflight supports a finding of bad faith. 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 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 <calibriumfinance.com> be transferred to the Complainant.

/Michael D. Cover/
Michael D. Cover
Sole Panelist
Date: April 17, 2026