

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. zhang tong dao
Case No. D2026-0309

1. The Parties

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

The Respondent is zhang tong dao, China.

2. The Domain Names and Registrar

The disputed domain names <abbinv.com> and <abbinv.net> are registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on January 26, 2026. On January 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On January 27, 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 (UNKOWN / Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 27, 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 amendment to the Complaint in English on the same day.

On January 27, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On the same day, 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 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 23, 2026.

The Center appointed Jonathan Agmon as the sole panelist in this matter on March 4, 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, ABB Asea Brown Boveri Ltd., is part of the ABB Group, a worldwide leading group of companies operating in the fields of power and automation technology, with over 100,000 employees in more than 100 countries and revenues of several billion United States Dollars annually. The ABB Group has been operating for over a century and provides products and services spanning high, medium, and low voltage systems, industrial automation, and related services. The Complainant's products are presented on its website at "www.abb.com".

The Complainant is the registered trademark owner of the ABB word and figurative marks worldwide. The Complainant owns approximately 3,000 ABB trademark registrations globally, including, inter alia:

- European Union trademark registration No. 002628964 for ABB, registered on November 21, 2003; and
- numerous additional registrations in jurisdictions worldwide, all predating the registration of the disputed domain names by many years.

The Complainant also owns and operates its main domain name <abb.com>.

The disputed domain names <abbinv.com> and <abbinv.net> were both registered on December 29, 2025. The disputed domain names resolve to identical websites. On those websites, the Respondent: (i) reproduces the Complainant's ABB figurative trademark in an identical manner; (ii) claims to be "ABB (Asea Brown Boveri)"; and (iii) publishes an official European Union Declaration of Conformity executed by ABB E-Mobility B.V., a wholly owned subsidiary of the Complainant, which appears to have been downloaded from the Complainant's website.

5. Parties' Contentions

A. Complainant

The Complainant argues that the disputed domain names are confusingly similar to its ABB mark, as the disputed domain names incorporate the ABB mark in its entirety, with the addition of the descriptive abbreviation "inv" (commonly used for "in-vehicle network") along with the generic Top-Level Domains ".com" and ".net", which are insufficient to avoid confusing similarity. The Complainant also submits that the confusing similarity is reinforced by the content of the websites, which copied the Complainant's branding and purported to be connected with ABB.

The Complainant further argues that the Respondent has no rights or legitimate interests in respect of the disputed domain names, as the Complainant has not authorized the Respondent to use any of its trademarks or to register the disputed domain names. The Respondent is operating a fraudulent investment scheme rather than for any bona fide offering of goods or services or any legitimate noncommercial or fair use.

The Complainant also argues that the disputed domain names were registered and are being used in bad faith in order to intentionally attract, for commercial gain, Internet users to the Respondent's websites, by creating a likelihood of confusion with the Complainant's well-known ABB trademark.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

Paragraph 11 of the Rules provides that:

"(a) Unless otherwise agreed by the Parties, or specified otherwise in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding."

The language of the Registration Agreement for the disputed domain names is Chinese.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English on the basis that the websites to which both of the disputed domain names resolve are entirely designed and presented in the English language, indicating that the Respondent has sufficient ability to communicate in English.

The Respondent did not comment on the language of the proceeding.

The Panel cites the following with approval: "Thus, the general rule is that the parties may agree on the language of the administrative proceeding. In the absence of this agreement, the language of the Registration Agreement shall dictate the language of the proceeding. However, the Panel has the discretion to decide otherwise having regard to the circumstances of the case. The Panel's discretion must be exercised judicially in the spirit of fairness and justice to both parties taking into consideration matters such as command of the language, time, and costs. It is important that the language finally decided by the Panel for the proceeding is not prejudicial to either one of the parties in his or her abilities to articulate the arguments for the case." (See *Groupe Auchan v. xmxzl*, WIPO Case No. [DCC2006-0004](#)).

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. The Panel notes that both disputed domain names resolve to identical websites written entirely in the English language, clearly demonstrating the Respondent's sufficient command of the English language, that the Respondent has not participated in this proceeding, and that all of the Center's communications with the Parties were sent in both English and Chinese. In the absence of any objection by the Respondent, the Panel does not find it procedurally efficient to have the Complainant translate the Complaint into Chinese.

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 Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

The Panel finds that the Complainant has shown rights in respect of the ABB trademark for purposes of the Policy. The disputed domain names integrate the Complainant's ABB mark in its entirety, followed only by the addition of the term "inv", a common abbreviation for "in-vehicle network" and thus a descriptive abbreviation. [WIPO Overview 3.1](#), section 1.8.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights. The first element of the Policy is therefore 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.

In the present case, the Complainant has demonstrated prima facie that the Respondent lacks rights or legitimate interests in respect of the disputed domain names and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it owns trademark registrations long before the disputed domain names were registered and that it is not affiliated with nor has it licensed or otherwise permitted the Respondent to use the Complainant's trademark (see *LEGO Juris A/S v. DomainPark Ltd, David Smith, Above.com Domain Privacy, Transure Enterprise Ltd, Host master*, WIPO Case No. [D2010-0138](#)).

There is also no evidence on record showing that the Respondent is commonly known by the disputed domain names (see [WIPO Overview 3.1](#), section 2.3). Moreover, the disputed domain names resolve to identical websites that prominently displays the Complainant's ABB mark and logo, falsely suggesting affiliation with the Complainant, reproducing ABB documentation, and promoting an apparent fraudulent investment scheme, which does not constitute a legitimate noncommercial use or a bona fide offering of goods or services (see [WIPO Overview 3.1](#), section 2.9).

Further, the Respondent did not submit a Response in the present case and did not provide any explanation or evidence to show rights or legitimate interests in the disputed domain names sufficient to rebut the Complainant's prima facie case.

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.

The Complainant has submitted evidence showing that the disputed domain names resolve to active websites impersonating the Complainant and seeking to attract Internet users to an apparent ABB-branded investment platform promoting what appears to be a fraudulent investment scheme offering daily yields of 7%–12% on purported “high power charging” investments, and multi-level referral rewards of up to 15%. The Panel also considers that the websites reproduce an ABB E-Mobility B.V. declaration of conformity apparently copied from the Complainant’s official websites.

It is well established that the use of a domain name for passing off, impersonation, or other fraudulent activity constitutes bad faith under the Policy. Such conduct falls squarely within paragraph 4(b)(iv) of the Policy.

The Panel also takes into account that the Complainant's well-known ABB mark is identically copied by the Respondent on the websites, such that designed in several ways to lead Internet users to believe that both the websites and the disputed domain names originate from the Complainant or are operated by the Complainant. The Panel finds that the Respondent was targeting the Complainant and its ABB trademark.

The Panel finds that the Respondent's use of the disputed domain name constitutes evidence of bad faith registration and use.

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 <abbinv.com> and <abbinv.net> be transferred to the Complainant.

/Jonathan Agmon/

Jonathan Agmon

Sole Panelist

Date: March 18, 2026