

ADMINISTRATIVE PANEL DECISION

Kyndryl, Inc. v. qiao xue
Case No. D2026-0439

1. The Parties

The Complainant is Kyndryl, Inc., United States of America (“United States”), represented by Com Laude Limited, United Kingdom.

The Respondent is qiao xue, China.

2. The Domain Name and Registrar

The disputed domain name <kandryl.com> is 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 February 3, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 5, 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 named Respondent (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 5, 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 in English on February 10, 2026.

On February 5, 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 February 10, 2026, the Complainant requested English to 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 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 Respondent in English and Chinese of the Complaint, and the proceedings commenced on February 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 12, 2026.

The Center appointed James Wang as the sole panelist in this matter on March 24, 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 designs, builds, manages, and modernizes complex, mission-critical information systems.

The Complainant is one of the largest IT service providers in the world. The Complainant's services include a wide range of technology infrastructure systems designed and managed for clients, such as cloud services, artificial intelligence, digital workplaces, hybrid IT environments and other emerging technology solutions.

The Complainant owns KYNDRYL trademark registrations in various jurisdictions, including but not limited to:

- International trademark registration No. 1628208, registered on June 14, 2021; and
- United States trademark registration No. 7537618, registered on October 15, 2024.

The Complainant operates an official website under the domain name "www.kyndryl.com".

The Complainant and its group company previously initiated UDRP proceedings respectively against multiple domain names incorporating KYNDRYL.

The disputed domain name was registered on November 13, 2025 and resolved to a website promoting unrelated third-party applications and gambling websites. The Complainant's agent wrote to the Respondent in January 2026 in regard to the disputed domain name but received no reply.

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 the disputed domain name is confusingly similar to the trademark in which the Complainant has rights. The Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1 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.

The Respondent did not make any 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 Select UDRP Questions \("WIPO Overview 3.1"\)](#), section 4.5.1).

Considering the Center has sent case-related communications to the Parties in both Chinese and English, including communications regarding the language of the proceeding, and thereby has given the Respondent an opportunity to comment on or to oppose the Complainant's request and arguments in Chinese or English, and considering the Respondent's default and lack of reaction after having been given a fair chance to comment or oppose, together with the fact that the disputed domain name consists of only Latin letters instead of Chinese characters, the Panel finds it would not be unfair to proceed in English as requested by the Complainant.

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 Elements

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain name is 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 disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has provided evidence that the Complainant owns KYNDRYL trademark registrations in various jurisdictions.

The applicable Top-Level Domain ("TLD") in a domain name is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. Therefore, the TLD ".com" shall be disregarded under the confusing similarity test in this case. See [WIPO Overview 3.1](#), section 1.11.1.

The disputed domain name consists of a variation of the Complainant's KYNDRYL trademark, specifically by replacing the second letter "y" with the letter "a", while keeping all other letters and their sequence identical. As the Complainant's mark KYNDRYL is recognizable within the disputed domain name, the Panel finds the disputed domain name confusingly similar to the Complainant's KYNDRYL trademark. See [WIPO Overview 3.1](#), sections 1.7 and 1.9.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible

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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.1](#), section 2.1.

According to the Complaint, the Respondent is not a licensee of the Complainant and has not received any permission, consent, or acquiescence from the Complainant to use its name or marks in association with the registration of the disputed domain name or any domain name, service or product. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. There is no evidence that the Respondent has been commonly known by the disputed domain name.

The Panel finds that the Complainant has made a prima facie case that the Respondent lacks rights or legitimate interests, and the Respondent failed to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Given the distinctiveness of the Complainant's KYNDRYL trademark and the fact that the disputed domain name employs a misspelling of the KYNDRYL trademark which has no dictionary meaning, it would be inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's trademark at the time of the registration. The Panel finds that the disputed domain name was registered in bad faith.

The Panel noticed that the disputed domain name resolved to a website promoting unrelated third-party applications and gambling websites. This indicates the Respondent's intent to attract, for commercial gain, Internet users to its website, and to profit in some fashion from or otherwise exploit the Complainant's trademark. See [WIPO Overview 3.1](#), section 3.1.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under paragraph 4(b)(iv) of the Policy.

The Panel therefore 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 <kandryl.com> be transferred to the Complainant.

/James Wang/
James Wang
Sole Panelist
Date: April 7, 2026