

ADMINISTRATIVE PANEL DECISION

Kyndryl, Inc. v. Shaun Barney
Case No. D2026-0753

1. The Parties

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

The Respondent is Shaun Barney, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <kyndrylomnis.com> (the “Disputed Domain Name”) is registered with Squarespace Domains LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 23, 2026. On February 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 3, 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 (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 4, 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 March 10, 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 the Respondent of the Complaint, and the proceedings commenced on March 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 6, 2026. The Respondent sent an email communication to the Center on March 10, 2026. The Center notified the Parties of the commencement of panel appointment process on April 8, 2026.

The Center appointed Flip Jan Claude Petillion as the sole panelist in this matter on April 13, 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, Kyndryl, Inc., designs, builds, manages and modernizes complex, mission-critical information systems. The Complainant was created from the spin-off of IBM's infrastructure services in 2021. The Complainant generated revenues of USD 15.1 billion in the fiscal year 2025. Currently, the Complainant employs more than 90,000 people and operates in over 60 countries. The Complainant is the holder of numerous registered trademarks, including the following:

- KYNDRYL, international trademark registered on June 14, 2021 under registration number 1628208 in classes 9, 35, 37, 38, 41, and 42, and covering various countries including the United Kingdom.

The Disputed Domain Name was registered on September 17, 2025. According to the evidence provided by the Complainant, the Disputed Domain Name resolved to a website displaying the Complainant's mark, referring to a product or service of the Complainant, using a favicon identical to the one used for the Complainant's official website, and including a login page. The Disputed Domain Name currently appears to be 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 Name.

Notably, the Complainant contends that the Disputed Domain Name is confusingly similar to the registered trademarks in which it has rights.

The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. In summary, according to the Complainant:

- the Respondent is not commonly known by the Disputed Domain Name;
- 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, indeed, any domain name, service or product;
- the Disputed Domain Name fully incorporates the Complainant's well-known and highly distinctive mark, combined with a Latin adornment. Therefore, the Disputed Domain Name effectively impersonates or suggests sponsorship or endorsement by the trademark owner. As such, the Respondent cannot derive a legitimate interest in the Disputed Domain Name;
- the collection of login credentials whilst impersonating the Complainant cannot be considered bona fide offering of good and services.

Finally, the Complainant considers that the Disputed Domain Name was registered and being used in bad faith. The Complainant contends that the Disputed Domain Name is confusing in and of itself, and its registration creates a presumption of bad faith upon the Respondent. According to the Complainant, the Respondent has been and continues to use the Disputed Domain Name to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. The

Complainant further claims that the Respondent's registration and use of the Disputed Domain Name will be disruptive to the Complainant's business.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. In an email of March 10, 2026, the Respondent replied to the Complainant's filing of the amended Complaint with the following message:

"Just remove it, I don't mind."

6. Discussion and Findings

The Panel finds that the Complainant has established all three substantive elements of the Policy. However, the Panel need not make extensive findings in this regard, as it can be noted that where parties to a UDRP proceeding have not been able to settle their dispute prior to the issuance of a panel decision using the Center's Standard Settlement Form, but where the respondent has nevertheless given its consent on the record to the transfer (or cancellation) remedy sought by the complainant, many panels will order the requested remedy solely on the basis of such consent. See section 4.10 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)").

In the circumstances of the present case and considering the fact that a UDRP proceeding must take place with due expedition, the Panel finds that the Respondent's consent to "remove" the Disputed Domain Name is sufficient to order the transfer of the Disputed Domain Name to the Complainant. See *Caffè Borbone S.r.l. v. Abdel Aakouk*, WIPO Case No. [D2023-1862](#).

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 <kyndrylomnis.com> be transferred to the Complainant.

/Flip Jan Claude Petillion/

Flip Jan Claude Petillion

Sole Panelist

Date: April 27, 2026