

ADMINISTRATIVE PANEL DECISION

**Exactlogix, Inc. v. Domain Administrator, Fundacion Privacy Services LTD
Case No. D2026-1433**

1. The Parties

The Complainant is Exactlogix, Inc., United States of America (the “United States”), represented by WilliamsMcCarthy LLP, United States.

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

2. The Domain Names and Registrar

The disputed domain names <accuylnx.com> and <aculynx.com> are registered with Media Elite Holdings Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 2, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 8, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 April 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 7, 2026.

The Center appointed Angelica Lodigiani as the sole panelist in this matter on May 21, 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 is Exactologix, Inc., a provider of a cloud-based software for roofing contractors, offering a comprehensive CRM and business management platform for industry professionals. The Complainant has operated under the ACCULYNX mark since February 1, 2009. It has continuously served thousands of roofing contractors since its founding in 2008. As of January 2023, more than USD 50 billion worth of roofing contracts have been managed through its Acculynx platform. The ACCULYNX mark has been recognized by leading business-to-business software review platforms as a top-rated and category-leading construction CRM and estimating software product over multiple consecutive years.

The Complainant is the owner of the following trademark registration:

- ACCULYNX (word), United States registration No. 3886987, registered on December 7, 2010, for goods and services in classes 9 and 42, with a first use in commerce date of February 1, 2009.

The disputed domain names <aculynx.com> and <accuylnx.com> were registered on February 8, 2019, and July 9, 2020, respectively. The disputed domain name <aculynx.com> triggers a warning message from Google Chrome's Safe Browsing system advising Internet users to return to safety as the site they are attempting to visit might trick them into installing software or disclosing sensitive information. By contrast, the disputed domain name <accuylnx.com> is passively held.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to its ACCULYNX mark, as they consist of obvious single-character typographical variants of this mark. The disputed domain name <aculynx.com> omits one of the two letters "c" in the ACCULYNX trademark, resulting in a one-character deletion typosquat. The disputed domain name <accuylnx.com> transposes the letters "y" and "l" in the ACCULYNX trademark, resulting in a two-adjacent-character transposition typosquat.

In each case, the dominant element of the disputed domain names is the ACCULYNX mark, which is immediately recognizable.

The Complainant further contends that the Respondent lacks rights or legitimate interests in the disputed domain names. The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use the ACCULYNX mark in any domain name or elsewhere. There is no evidence that the Respondent is or has ever been commonly known by the disputed domain names.

Neither disputed domain name has been used for a bona fide offering of goods or services or for a legitimate noncommercial use. At the time of the filing of the Complaint, the disputed domain name <aculynx.com> resolved to a site flagged as dangerous by Google Chrome's Safe Browsing system. This site may trick users into installing software or revealing passwords or credit card numbers. By contrast, the disputed domain name <accuylnx.com> is passively held.

The ACCULYNX mark is distinctive and has acquired substantial recognition and goodwill in the roofing software market. By the time each disputed domain name was registered, the Complainant had been operating in the market for approximately ten and eleven years, respectively. The disputed domain names are purely typographical variants of the ACCULYNX mark. No legitimate registrant would have selected these strings without awareness of the Complainant's mark.

Passive holding does not preclude a finding of bad faith use where the circumstances of the registration and the surrounding facts indicate abusive intent. The disputed domain name <aculynx.com> resolved to a website triggering a “dangerous site” warning, indicating that it may trick users into installing software or disclosing passwords or credit card numbers. This classification is not incidental: it reflects that the disputed domain name was being actively used to conduct or facilitate harmful activity directed at Internet users, which constitutes use in bad faith.

With respect to the <accuylnx.com> disputed domain name, passive holding constitutes bad faith use in a series of circumstances, all which are present in this case.

B. Respondent

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

6. Discussion and Findings

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 of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The 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 disputed domain names contain misspellings of the Complainant’s mark, such as the omission of one letter “c” in the disputed domain name <aculynx.com>, and the inversion of the letters “l” and “y” in the <accuylnx.com> disputed domain name. A domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. [WIPO Overview 3.1](#), section 1.9.

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.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel observes that no apparent connection exists between the Respondent and the Complainant. The Respondent is neither a licensee of the Complainant nor has it received any authorization to use the Complainant's ACCULYNX trademark. Furthermore, there is nothing to suggest that the Respondent is commonly known by the disputed domain names.

The disputed domain name <aculynx.com> resolves to webpage displaying a warning indicating that it is a dangerous site, namely: "Dangerous site. Attackers on the site you tried visiting might trick you into installing software or revealing things like your passwords, phone, or credit card numbers. Chrome strongly recommends going back to safety". This suggests that the webpage may be used to host malicious or fraudulent activity. Panels have held that the use of a domain name for illegal activity, such as distributing malware, phishing or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The disputed domain name <accuynx.com> does not resolve to an active website. However, the Panel notes that the composition of this disputed domain name, whereby the Respondent has intentionally sought to create confusion among Internet users through a one-letter inversion of the Complainant's trademark, is likely to mislead Internet users and tarnish the Complainant's mark. Accordingly, such passive holding does not confer rights or legitimate interests on the Respondent.

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 Complainant's mark is distinctive and that the Respondent registered the disputed domain names long after the Complainant had established rights in, and made use of, the ACCULYNX mark. The fact that the Respondent registered two disputed domain names consisting of obvious and intentional misspellings of the Complainant's mark is a strong indicator of the Respondent's knowledge of the Complainant's mark at the time of the registration.

The fact that upon attempting to access the website associated with the disputed domain name <aculynx.com> a dangerous site warning is displayed on the Google Chrome's Safe Browsing system indicates that access to the corresponding website has been restricted due to suspected malicious content.

With respect to the disputed domain name <accuynx.com>, the panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 names <accuynx.com> and <aculynx.com> be transferred to the Complainant.

/Angelica Lodigiani/

Angelica Lodigiani

Sole Panelist

Date: June 4, 2026