

## **ADMINISTRATIVE PANEL DECISION**

Kyndryl, Inc. v. Host Master, Transure Enterprise Ltd  
Case No. D2026-1513

### **1. The Parties**

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

Respondent is Host Master, Transure Enterprise Ltd, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <kyndry.net> is registered with Above.com Pty Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 9, 2026. On April 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 14, 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 (above privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on April 14, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on April 17, 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 Respondent of the Complaint, and the proceedings commenced on April 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 10, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 12, 2026.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on June 10, 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**

Complainant (together with its affiliates, "Complainant") is a multinational company based in the United States. Since at least April 12, 2021, Complainant has offered technology products and services under the mark KYNDRYL. Complainant owns various registrations for its KYNDRYL mark. These include, among others, French Registration No. 4754262 (registered April 12, 2021) and International Registration No. 1628208 (registered June 14, 2021).

The disputed domain name was registered on June 19, 2022. Respondent has used the disputed domain name to redirect to a website that gives an impression that the Internet user's device is infected by viruses or malware, scans their device and prompts them to install antivirus software. The disputed domain name also has resolved to a website with pay-per-click links to services that compete with those offered by Complainant under its KYNDRYL mark.

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns extensive global rights to the KYNDRYL mark for technology products and services, having generated revenue of "USD \$15.1 billion in the Fiscal Year 2025".

Complainant further avers that it "employs more than 90,000" people, that Complainant "operates in over 60 countries" and that prior UDRP panels have recognized Complainant's right to the KYNDRYL mark.

Complainant further contends that its registration and use of the KYNDRYL mark received significant media coverage in outlets such as Bloomberg, The Financial Post, and Reuters on the date of the public announcement thereof, April 12, 2021, which is prior to the date of registration of the disputed domain name.

Complainant contends that the disputed domain name clearly references Complainant's "highly distinctive" KYNDRYL mark, omitting only the final letter "l", a flagrant example of "typosquatting". Complainant asserts that Respondent lacks rights or legitimate interests in the disputed domain name, and rather has registered and is using it in bad faith, in an attempt to lure consumers seeking technology products and services offered via Complainant's own website, located at the URL associated with Complainant's domain name <kyndryl.com>. Complainant alleges that Respondent is impersonating Complainant, and is prompting Internet users to install malware and providing links to competing technology services, presumably for Respondent's own commercial gain.

##### **B. Respondent**

Respondent did not reply to 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 name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7. Complainant has shown rights in respect of the KYNDRYL mark, for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. The Panel finds that the KYNDRYL mark is recognizable as a misspelling within the disputed domain name. [WIPO Overview 3.1](#), sections 1.7 and 1.9. Therefore, the disputed domain name is confusingly similar to the Complainant's mark.

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 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.

Respondent has not put forward any claims or evidence that would suggest rights or legitimate interests for the purposes of the Policy. Rather, panels have held that the use of a domain name for illegal activity, including claimed distributing malware, or other types of fraud, as shown here, 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

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. As noted in Section 4 of this Panel's decision, the record includes evidence that Respondent has used the disputed domain name to redirect to a website that gives a false impression that the Internet user's device is infected by viruses or malware, scans their device and prompts them to install antivirus software. The disputed domain name also has resolved to a website with pay-per-click links to services that compete with those offered by Complainant under its KYNDRYL mark. Complainant has demonstrated a fair degree of consumer exposure to the KYNDRYL mark via significant revenues and media coverage that predate the registration of the disputed domain name. At least one prior UDRP panel has found that another domain name registered by Respondent violates rights established by Complainant to the KYNDRYL mark. See *Kyndryl, Inc. v. Host Master, Transure Enterprise Ltd*, WIPO Case No. [D2025-4219](#).

Respondent has not replied to the Complaint, nor has Respondent provided any evidence to counter Complainant's allegations of bad faith. The Panel finds sufficient evidence that Respondent was aware of Complainant's rights and Complainant's marks at the time of registering the disputed domain name. The Panel finds that the registration and use of the disputed domain name constitute bad faith under paragraph 4(b)(iv) of the Policy. Furthermore, panels have held that the use of a domain name for illegal activity, including claimed distributing malware, or other types of fraud, as shown here, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

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

## **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 <kyndry.net> be transferred to Complainant.

*/Lorelei Ritchie/*

**Lorelei Ritchie**

Sole Panelist

Date: June 22, 2026