ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Exactlogix, Inc. v. Karl Schnurch, EdenMedia
Case No. D2026-1560

1. The Parties

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

The Respondent is Karl Schnurch, EdenMedia, Seychelles.

2. The Domain Name and Registrar

The disputed domain name <acculyx.com> is registered with Key-Systems GmbH (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 13, 2026. On April 14, 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 (Domain Administrator (Privacy Proxy), domain-contact.org (Privacy Service)) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 15, 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 on April 15, 2026.

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 April 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 8, 2026.

The Center appointed Meera Chature Sankhari as the sole panelist in this matter on May 15, 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

Based on the undisputed allegations in the Complaint, the Complainant provides the "AccuLynx" cloud-based roofing contractor software, offering a comprehensive CRM and business management platform purpose-built for roofing professionals. The Complainant claims to have used the ACCULYNX mark continuously in commerce since February 1, 2009. AccuLynx has served thousands of roofing contractors continuously since its founding in 2008, with USD50 billion worth of roofing job contracts managed through the AccuLynx platform as of January 2023. AccuLynx has been recognized by Capterra, GetApp, and Software Advice as a top-rated and category-leading construction CRM and estimating software product in multiple consecutive years; and AccuLynx carries a 4.5 out of 5-star rating based on 728 verified user reviews on Capterra as of early 2026.

The Complainant has registered the trademark ACCULYNX, bearing Registration No. 3,886,987, dated December 7, 2010, in Classes 9, and 42 before the United States of America Trademark Office ("USPTO").

The disputed domain name was registered on October 2, 2021. The Complainant has provided evidence that, upon attempting to access it, the disputed domain name resolved to a blocked page indicating harmful content.

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 Complainant's mark. The Complainant further contends that despite the omission of two characters (although the Panel notes only one character is missing, the letter "n"), the string "acculyx" remains immediately recognizable as a misspelling of the Complainant's ACCULYNX mark, as it retains the distinctive "acculy" prefix and the "x" suffix that are characteristic of the mark. The Complainant alleges that by omitting the letters "n" and "x" from its mark ACCULYNX, the disputed domain name is resulting in a "two-character deletion typosquat". Thus, the disputed domain name is claimed to be confusingly similar to the Complainant's mark.

The Complainant submits that it has not licensed, authorized, or otherwise permitted the Respondent to use the ACCULYNX mark in any domain name, website, or other commercial context. The Complainant further submits that the word 'acculyx', as used by the Respondent, has no independent meaning and corresponds to nothing other than a misspelling of the Complainant's distinctive mark. The Complainant contends that as per the FortiGuard categorization of a domain as a "Potentially Unwanted Program", the disputed domain name is hosting some potentially harmful content, and such use does not constitute a bona fide offering of goods or services.

The Complainant claims that no legitimate registrant would have selected the string "acculyx" without awareness of the Complainant's mark. The Complainant also contends that using a privacy service to conceal the Respondent's identity further supports a bad faith inference. The Complainant contends that the registration of an obvious "two-character deletion typosquat" of a distinctive, federally registered, incontestable trademark by an entity with no connection to the trademark owner, using an offshore

privacy proxy, constitutes bad faith registration. The Complainant argues that the disputed domain name was flagged by FortiGuard Intrusion Prevention as a "Potentially Unwanted Program" as of April 2, 2026, with the site categorized in a manner that caused enterprise network security systems to block access. Additionally, the disputed domain name was also served over HTTP without a valid SSL certificate. It is submitted that the disputed domain name intends to harm the Complainant's customers, who may be misdirected to the disputed domain name, and thereby damaging their reputation by associating its name with malicious or unwanted content.

The Complainant contends that passive holding of a disputed domain name, with no plausible legitimate purpose and an active security classification as "potentially harmful", satisfies the bad faith use standard under the passive holding doctrine, thus, establishing bad faith registration and use.

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 name. 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 for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name reproduces the Complainant's mark, removing solely the letter "n". Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. The deletion of the letter "n" from the Complainant's mark ACCULYNX, which the Panel finds to be an intentional misspelling of it, does not prevent the finding of confusing similarity for the purposes of the first element of the Policy. The Complainant's mark remains recognizable within the disputed domain name. WIPO Overview 3.1, section 1.9.

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

Moreover, panels have held that the use of a domain name for potentially illegitimate activity/illegal activity here, potential distribution of malware as it has already been identified as "not secure" and/or "potentially unwanted program" 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

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 concurs with the Complainant that the website under the disputed domain name is not accessible to the Internet users and has been marked as "Not secure" which indicates that the disputed domain name was being used or can potentially be used in bad faith. The Panel notes that the Respondent has concealed its identity behind a privacy shield, which supports a finding of bad faith registration. The Panel, thus, concurs with the Complainant's contention that the registration of a misspelling of a distinctive trademark by an entity with no apparent connection to the trademark owner, using an offshore privacy proxy, indicates bad faith registration. The Panel further concurs that the Respondent's use of the disputed domain name is likely to mislead the Internet users to the unwarranted website.

Panels have held that the use of a domain name for illegitimate activity/illegal activity here, potential distribution of malware as it has already been identified as "not secure" and/or "potentially unwanted program" also supports a finding of bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 name <acculyx.com> be transferred to the Complainant.

/Meera Chature Sankhari/
Meera Chature Sankhari
Sole Panelist
Date: May 29, 2026