

ADMINISTRATIVE PANEL DECISION

Abion AB v. Mario Ben, Mario Ben RPT

Case No. D2026-1693

1. The Parties

The Complainant is Abion AB, Sweden, represented internally.

The Respondent is Mario Ben, Mario Ben RPT, France.

2. The Domain Name and Registrar

The disputed domain name <ip-abion.com> ("Disputed Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 22, 2026. On April 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 23, 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, Registrant Organization: Privacy service

provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 23, 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 April 24, 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 April 28, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was May 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 21, 2026.

The Center appointed Jane Lambert as the sole panelist in this matter on May 27, 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 a Swedish company. It was founded in 1994 and has expanded through mergers and acquisitions. Together with its subsidiary companies, the Complainant operates in the fields of intellectual property, domain name management, brand protection and web security under the ABION brand. It employs over 240 personnel and serves over 10,000 clients around the world.

In 2024, the Complainant registered the word ABION in plain text as a European Union trade mark under registration number 018925833, on February 24, 2024. It also registered ABION in stylized lettering as a European Union trade mark under registration number 018944070, on March 12, 2024. The Complainant holds similar registrations in many other jurisdictions, including the United Kingdom, Switzerland, and New Zealand. Particulars of its trade marks are annexed to the Complaint.

The Complainant promotes its business through its websites and social media. It holds several domain names that incorporate its ABION trade mark, such as <abion.com> and <abion.ai>. Pages from its website at “www.abion.com” and its LinkedIn, Facebook and Instagram accounts are also annexed to the Complaint.

The only information on the identity and whereabouts of the Respondent was the Registrar’s response to the Center’s request for verification mentioned above.

The Disputed Domain Name was registered on March 24, 2026. When the Disputed Domain Name was typed into a browser on the day these proceedings were filed, it resolved to the Complainant’s website at “www.abion.com”. When the Disputed Domain Name was typed into a browser on April 24, 2026, it resolved to a page headed “Connection timed out”. The redirect checker and the “Connection timed out” page are annexed to the Complaint.

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.

First, the Complainant contends that it owns numerous trade marks for ABION (both word and figurative) in several jurisdictions and that the Disputed Domain Name incorporates, in its second-level portion, the ABION trademark in its entirety. The Complainant notes that ABION is preceded by a hyphen and the letters “ip” most likely refer to “Intellectual Property”. The Disputed Domain Name also includes in its first level portion, the generic Top-Level Domain (“gTLD”) “.com”. The Complainant submits that the addition of the hyphen and of the letters “ip” in the second level portion of the Disputed Domain Name does not prevent a finding of confusing similarity to the trade mark, as the ABION trade mark is clearly recognizable within the Disputed Domain Name.

In support of its submission, the Complainant states that where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. The nature of such additional term may, however, bear on assessment of the second and third elements.

Referring to *Rollerblade, Inc. v. Chris McCrady*, WIPO Case No. [D2000-0429](#); *Can Pro Pet Products LTD. v. Matthew Dweck*, WIPO Case No. [D2020-0615](#) and *Sanofi v. Aamir Hitawala*, WIPO Case No. [D2021-1781](#), the Complainant argues that the presence of the gTLD extension “.com” in the first level portion of the Disputed Domain Name is a standard registration requirement and may be disregarded when assessing whether the Disputed Domain Name is confusingly similar to the trade mark in which the Complainant has rights.

The Complainant concludes that the Disputed Domain Name is confusingly similar to the Complainant's ABION trade mark.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Disputed Domain Name. It points out that the Respondent registered the Disputed Domain Name on March 24, 2026, well after the Complainant's ABION trade mark was first registered. The Complainant states that it has not licensed or authorized the Respondent to register or use the Disputed Domain Name and that the Respondent is not affiliated to the Complainant in any way.

The Complainant has made the following searches but found no evidence that the Respondent is known by the Disputed Domain Name or that he owns any corresponding registered trade mark”:-

- The Complainant states that it searched for “ip-abion” on a popular search engine and all the results related to the Complainant and its services. The Complainant has annexed copies of the search results to the Complaint.
- The Complainant also states that it searched for “ip-abion” and the names “Mario Ben” and “Mario Ben RPT” on a popular search engine but found no connection between those names and the Disputed Domain Name. Instead, all the results related to the Complainant. Again, the Complainant has annexed copies of the searches to the Complaint.
- The Complainant has searched online databases for a trade mark corresponding to the Disputed Domain Name but found none. It also searched for trade marks held by “Mario Ben” or “Mario Ben RPT” but again found none. The search results are also annexed to the Complaint.

The Complainant observes that the Respondent used a privacy service indicating an intention to conceal his identity rather than assert a claim to a name corresponding to the Disputed Domain Name.

As “IP” is short for “intellectual property” which is the core of its business, the Complainant submits that the Respondent intended to misrepresent a connection with the Complainant in the minds of Internet users. It alleges that “a respondent's use of a domain name will not be considered ‘fair’ if it falsely suggests affiliation with the trademark owner”.

The Complainant submits that in similar circumstances, it has been held that “the nature of the disputed domain name carries a risk of implied affiliation”. The Complainant relies on *SOLVAY Société Anonyme v. Yassine Boubakri*, WIPO Case No. [D2021-2990](#) and *Instagram, LLC v. Registration Private, Domains By Proxy, LLC/Murat Sander*, WIPO Case No. [D2021-0526](#) in support of that submission.

When it filed its Complaint, the Complainant noted that the Disputed Domain Name was set to redirect to the Complainant's website at <abion.com>. However, it contends that such use cannot be considered as a bona fide offering of goods and services, even if the redirection was of no benefit or financial gain for the Respondent. It refers to *Barrett Steel Limited v. Web Hosting*, WIPO Case No. [D2021-0055](#), where the panel found that the disputed domain name was used to redirect Internet users to the Complainant's website. This panel held that this was not a bona fide offering of goods or services as might have met the criterion for rights or legitimate interests in a disputed domain name per Policy paragraph 4(c)(i). This panel stated: “While it is not clear to the Panel whether or how the Respondent might profit monetarily from the disputed domain name's redirection to the Complainant's website, the Panel determines that this action does not constitute a legitimate noncommercial or fair use of the disputed domain name per Policy, paragraph 4(c)(iii).”

The Complainant argues that the Disputed Domain Name had active MX records at the time of filing. They indicate that the Disputed Domain Name could be used for sending mischievous emails. The records are annexed to the Complaint.

The Complainant asserts that on the balance of probabilities, the configuration and use strongly suggest that the Respondent had registered and was holding the Disputed Domain Name with the intention of impersonating the Complainant online and taking unfair advantage of the Complainant's rights. Such conduct would clearly be incompatible with any bona fide offering of goods or services and could not give rise to any rights or legitimate interests under the Policy.

For the foregoing reasons, the Complainant concludes that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Thirdly, the Complainant submits that the Disputed Domain Name was registered and is being used in bad faith.

It begins by arguing that the Domain Name was registered in bad faith. It notes that the Respondent had registered the Disputed Domain Name years after the first registrations of the Complainant's ABION trade mark. It also notes that the Complainant enjoys a strong online presence. It submits that if the Respondent had conducted simple online searches for the Disputed Domain Name on popular search engines, it would have learned about the Complainant and its trade mark (Annex 6 of the Complaint).

As the Complainant has already pointed out, the Disputed Domain Name incorporates the ABION trade mark in its entirety together with the letters "ip" which are most likely an abbreviation for "Intellectual Property". The Complainant says that this clearly shows the Respondent's knowledge of the Complainant and its trade mark when it registered the Disputed Domain Name, as well as an intention to create an association, and a subsequent likelihood of confusion, with the ABION trademark in the minds of Internet users.

The Complainant concludes that it is inconceivable that the Respondent was unaware of the existence of the Complainant when it registered the Disputed Domain Name.

Turning to whether the Disputed Domain Name is being used in bad faith, the Complainant argues that the Disputed Domain Name is held passively because no use has been made of it. It reached that conclusion because the Disputed Domain Name was set to redirect to the Complainant's website at the domain name <abion.com> when the Complaint was filed. Later, the Disputed Domain Name was reset to resolve to an error page.

The Complainant notes that panels have held that "the non-use of a domain would not prevent a finding of bad faith". In *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) the panel said: "it is possible, in certain circumstances, for inactivity by the Respondent to amount to the domain name being used in bad faith." Indeed, from the inception of the UDRP, panelists have consistently found that non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding.

The Complainant contends that the following factors should be taken into account. First, the incorporation of the letters "ip" into the Disputed Domain Name because "ip" stands for "intellectual property" which is the Complainant's core service. The Complainant argues that it shows an intention to induce Internet users to believe that there is a connection between the Complainant and Respondent. Secondly, MX records showing that the Disputed Domain Name had been configured for email use. Thirdly, the redirection of traffic to the Complainant's site reinforcing the impression of a connection. Fourthly, the use of a privacy service. Taken together, these indicate that the Disputed Domain Name is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

The Agreement to register the Disputed Domain Name incorporated the following provision of paragraph 4(a) of the Policy:

“a. **Applicable Disputes.** You are required to submit to a mandatory administrative proceeding in the event that a third party (a ‘complainant’) asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present.”

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 trade mark 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 trade mark, namely European Union trade mark number 018925833, for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, the letters “ip” and a hyphen, may bear on assessment of the second and third elements, the Panel finds the addition of such term and hyphen does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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.

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.

One of those circumstances is as follows:

“(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.”

The Panel has already found the Disputed Domain Name to be confusingly similar to European Union trade mark number 018925833. It follows that the Respondent has created a likelihood of confusion with the Complainant's mark.

The Disputed Domain Name previously resolved to the Complainant's website at “www.abion.com”. Panels have found the following type of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: [] (v) redirecting the domain name to [] the complainant's [] website. [WIPO Overview 3.1](#), section 3.1.4.

Moreover, while no economic activity may be taking place just now, the Panel believes that it does not follow that none was planned. There has already been some change since the Complaint was filed in that the landing page was swapped from the Complainant's website to the “Connection timed out” page. It is more likely than not that a website would have been uploaded from which the Respondent would have obtained commercial gain. Paragraph 4(b)(iv) of the Policy requires an attempt to attract users to the Respondent's web site or other online location. An attempt can be a process, such as the construction of a website, as well as an isolated act. The Panel finds on the balance of probabilities that the Respondent intentionally tried to attract Internet users to a site or other online location at the Disputed Domain Name.

The Disputed Domain Name subsequently began resolving to a page headed “Connection timed out”. The Panel finds that the current non-use does not prevent a finding of passive holding in the circumstances of this case, having regard to the distinctiveness and reputation of the Complainant's trademark, the composition of the Disputed Domain Name which incorporates the Complainant's trademark alongside a term (“ip”) directly related to the Complainant's business, and the prior use of the Disputed Domain Name resolving to the Complainant's website.

The Panel finds that the third element of the Policy is 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 <ip-abion.com> be transferred to the Complainant.

/Jane Lambert/

Jane Lambert

Sole Panelist

Date: June 10, 2026