ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
ABB Asea Brown Boveri Ltd. v. Liudmyla Veselovska
Case No. D2026-1979

1. The Parties

The Complainant is ABB Asea Brown Boveri Ltd., Switzerland, represented by Taylor Wessing Partnerschaftsgesellschaft mbB, Germany.

The Respondent is Liudmyla Veselovska , Ukraine.

2. The Domain Name and Registrar

The disputed domain name <thomas-and-betts.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 7, 2026. On May 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 8, 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 (Unkown, Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 11, 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 May 11, 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 May 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 2, 2026.

The Center appointed Manuel Moreno-Torres as the sole panelist in this matter on June 5, 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 part of ABB Group, a worldwide leading group of companies, operating in the field of power and automation technology with over 100,000 employees in over 100 countries worldwide.

In 2012 the Complainant acquired Thomas & Betts Corporation, a United States of America designer and manufacturer of connectors and components for electrical and communication markets and then, rebranded as ABB installation products.

The Complainant is the owner of the THOMAS & BETTS trademark in different jurisdictions. By way of example and before the European Union Intellectual Property Office with registration number 001127737 Registered November 29, 2000 or the Swiss Federal Institute of Intellectual Property with registration number 288505, registered on June 23, 1977.

The disputed domain name was registered on September 18, 2025 and redirects to a website purporting to be the American company acquired by the Complainant, Thomas & Betts Corporation and where Complainant's mark and logo are fully reproduced along with the Complainant's ABB logo.

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 Respondent is using its trademark well after the Complainant registered its trademark and that the Respondent has not been authorized to use the disputed domain name and neither the Respondent is affiliated with the Complainant.

The Complainant also alleges that the Respondent is not commonly known by the disputed domain name.

Regarding the website to which the disputed domain name directs the Complainant contends that the Respondent does not accurately disclose her relationship with the Complainant and therefore, does not meet the Oki Data Test (see *Oki Data Americas, Inc. v. ASD, Inc*., WIPO Case No. D2001-0903).

The Complainant is also of the opinion that the disputed domain name was registered with the intent of misleading Internet users as to the commercial origin of the offers and the website, presumably for commercial gain.

The Respondent was well aware of THOMAS & BETTS trademarks as she fully reproduces them on the website while the composition of the disputed domain name carries out a risk of impersonation.

B. Respondent

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

6. Preliminary consideration

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

Since the Respondent's postal address is stated to be in Ukraine (whether this is indeed accurate is not clear), which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue.

The Panel notes that the postal mail was not able to deliver the Written Notice to the Respondent's address in Ukraine, but the Complaint together with the amendment to the Complaint were delivered to the Respondent's email address, as provided by the Registrar.

It is moreover noted that, for reasons, which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's goodwill in its trademark.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition the Panel will proceed to a Decision accordingly.

7. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed the Complainant must satisfy the Panel that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name was registered and is being used in bad faith.

There are no exceptional circumstances within paragraph 5(f) of the Rules to prevent the Panel from determining the dispute based upon the Complaint, notwithstanding the failure of the Respondent to file a Response. Under paragraph 14(a) of the Rules in the event of such a "default" the Panel is still required "to proceed with a decision on the complaint", whilst under paragraph 14(b) it "shall draw such inferences therefrom as it considers appropriate". This dispute resolution procedure is accepted by the domain name registrant as a condition of registration.

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 or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

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. WIPO Overview 3.1, section 1.7.

Although the addition of a hyphen or, by removing the ampersand, that said, the "&" symbol, may bear on assessment of the second and third elements, the Panel finds such action 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 notes that none of the circumstances described in paragraph 4(c) of the Policy can be inferred from the file. Indeed, the Panel finds that the disputed domain name and the corresponding website are used to impersonate the Complainant which cannot be considered legitimate use. WIPO Overview 3.1, section 2.5.

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 Respondent undertaking matches with the circumstances depicted in paragraph 4(b) of the Policy: intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

On balance the Panel finds that the Respondent knew or should have known about the Complainant and its trademarks when registering the disputed domain name <thomas-and-betts.com> due to the Complainant's reputation in the connectors and components in the electrical field. Indeed, the Panel finds that the Respondent targeted the Complainant and its trademarks because Respondent's websites display its trademarks prominently and, in an attempt, to present herself as if she was the Complainant when this is not the case.

The Panel finds that the Complainant has established the third element of the Policy.

8. 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 <thomas-and-betts.com> be transferred to the Complainant.

/Manuel Moreno-Torres/
Manuel Moreno-Torres
Sole Panelist
Date: June 10, 2026