

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. Jacqueline Franco
Case No. D2026-2091

1. The Parties

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

Respondent is Jacqueline Franco, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <abb-ch.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 15, 2026. On May 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 15, 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 (User #2b123405 Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to Complainant on May 18, 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 amendment to the Complaint on May 18, 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 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 16, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 18, 2026.

The Center appointed Marina Perraki as the sole panelist in this matter on June 22, 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 is based in Switzerland and is part of ABB Group, active mainly in the field of power and automation technology with over 100,000 employees in over 100 countries worldwide. Complainant provides its goods and services under its “ABB” figurative trademark also through its website at <abb.com>. In 2018, Complainant was named among the top 10 companies in Fortune magazine’s “Change the World” list. Complainant has also been on the Global 500 list for 24 consecutive years, which ranks the world’s largest companies. Last year, Complainant was listed as one of the 750 largest industrial companies in Switzerland. In 2021, Complainant was further ranked as the company with the second-highest turnover in the automation sector, generating 11.92 billion USD in revenue.

Complainant owns trademark registrations for ABB around the world, including:

- the International trademark registration no. 613568, ABB (logo), registered on October 25, 1993, for goods in international classes 6, 7, 9, 11, 12, 16 and 17; and
- the International trademark registration no. 781685, ABB (word), registered on March 27, 2002 for goods and services in international classes 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 16, 18, 19, 20, 21, 25, 26, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45.

The disputed domain name was registered on March 8, 2026. At the time of filing of the Complaint, it redirected to the website “resultearchnow.com” (the “Website”) containing pay-per-click (“PPC”) links. On the Website, the user was presented with so-called “related searches” such as “Swiss Electrical Engineering Services” / “CNC Swiss Machining” and “ABB Industrial Automation Solutions”. Moreover, when users clicked through the links on the Website, they were redirected to third-party sites on which competing products and services to those of Complainant were offered. The Website contained no information regarding the Website operator.

Currently the disputed domain name leads to a blocked, marked as “malicious”, website.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, a complainant must assert and prove each of the following:

- (i) the domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the domain name; and

- (iii) the domain name registered by the respondent has been registered and is being used in bad faith.

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 a trademark or service mark 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, "ch" and a hyphen, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 generic Top-Level Domain ("gTLD") ".com" is disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons (*Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#); *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. [D2002-0122](#)).

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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

On the contrary, as Complainant demonstrated, the disputed domain name redirected to the Website containing PPC links, including links to competitors of the Complainant. The links were on "Swiss Electrical Engineering Services" / "CNC Swiss Machining" and "ABB Industrial Automation Solutions", namely included wording that reflected Complainant's Swiss origin and its core activities in the field of electrical engineering and industrial automation. The Panel finds that it is not unlikely that the Respondent received PPC fees from the linked websites and used the disputed domain name for its own commercial gain. The use of a domain

name to redirect users to a parked page comprising PPC links does not represent a bona fide offering where such links mislead Internet users and trade off the complainant's trademark (*Virgin Enterprises Limited v. LINYANXIAO aka lin yanxiao*, WIPO Case No. [D2016-2302](#); [WIPO Overview 3.1](#), section 2.9).

Furthermore, there is no evidence on record giving rise to any rights or legitimate interests in the disputed domain name on the part of Respondent within the meaning of paragraphs 4(c)(ii) and 4(c)(iii) of the Policy.

In addition, the nature of the disputed domain name, consisting of Complainant's trademark in its entirety with "-ch", a common abbreviation of Switzerland where Complainant is located, carries a risk of implied affiliation ([WIPO Overview 3.1](#), section 2.5.1).

The Panel finds that these circumstances do not confer upon Respondent any rights or legitimate interests in respect of the disputed domain name.

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.

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.

Because the ABB mark had been used and registered before the disputed domain name registration, the Panel finds it more likely than not that Respondent had Complainant's mark in mind when registering the disputed domain name.

Moreover, the reproduction in its entirety of Complainant's mark in the disputed domain name, along with the country code CH for Switzerland, which is the country of origin of Complainant, reinforces the notion that Respondent was aware of and intentionally targeted Complainant in an attempt to confuse Internet users who were expecting to find Complainant's website.

As regards bad faith use, the disputed domain name directed Internet users to a page displaying links to third-party sites, including Complainant's competitors, which suggests that, presumably, Respondent received PPC fees from the linked websites that were listed thereon. It has been recognized that such use of another's trademark to generate revenue from Internet advertising can constitute registration and use in bad faith (*McDonald's Corporation v. ZusCom*, WIPO Case No. [D2007-1353](#); *Volkswagen Aktiengesellschaft v. Robert Brodi*, WIPO Case No. [D2015-0299](#); *SAP SE v. Domains by Proxy, LLC / Kamal Karmakar*, WIPO Case No. [D2016-2497](#); [WIPO Overview 3.1](#), section 3.5).

The Panel further notes that, as Complainant demonstrated, Respondent has apparently provided a false contact address, which further supports a finding of bad faith.

In view of all the above and taking into account also that Respondent has no rights to or legitimate interests in the disputed domain name, the bad faith is affirmed ([WIPO Overview 3.1](#), section 3.1).

Under these circumstances and on this record, the Panel finds that the Respondent has registered and is using the disputed domain name in bad faith.

The Panel finds that 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 <abb-ch.com> be transferred to the Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: July 6, 2026