

## **ADMINISTRATIVE PANEL DECISION**

Syngenta Crop Protection AG v. Elizabeth Carver, The Trustee for Roasting House Austral

Case No. D2026-2377

### **1. The Parties**

The Complainant is Syngenta Crop Protection AG, Switzerland, represented internally.

The Respondent is Elizabeth Carver, The Trustee for Roasting House Austral, Australia.

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

The disputed domain name <ssyngenta.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 June 2, 2026. On June 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 2, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 4, 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 June 12, 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 June 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 9, 2026.

The Center appointed Knud Wallberg as the sole panelist in this matter on July 13, 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 an internationally active Swiss company that primarily provides agrochemicals for crop protection, as well as vegetable and flower seeds. It employs approximately 30,000 people and operates in about 90 countries worldwide.

The Complainant is the owner of the SYNGENTA trademark. Among many others, the Complainant is the registered owner of the International Trademark Registration No. 732663, registered on March 8, 2000, for SYNGENTA, covering protection for a large number of goods and services in classes 1, 2, 5, 7, 8, 9, 10, 16, 29, 30, 31, 32, 35, 36, 41, and 42, and designating many jurisdictions around the world.

The Complainant further owns many domain names consisting of or comprising its SYNGENTA trademark, including <syngenta.com>.

The Respondent is reportedly located in Australia.

The disputed domain name was registered on May 8, 2026.

The disputed domain name initially resolved to a pay-per-click (“PPC”) parking page displaying sponsored links that referenced the Complainant’s SYNGENTA trademark. At the time of filing of the Complaint, the disputed domain name no longer resolved to an active website but instead displayed a blank/error page.

#### **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 SYNGENTA mark within the meaning of paragraph 4(a)(i) of the Policy. The disputed domain name incorporates the Complainant’s mark in its entirety, with the addition of a second letter “s”.

The Complainant furthermore contends that Respondent has no rights or legitimate interests in respect of the domain name, since the Respondent has no affiliation with the Complainant nor is it authorized to use Complainant’s registered trademark.

The Complainant finally contends that the disputed domain name was registered and is being used in bad faith. The disputed domain name previously resolved to a PPC parking page displaying sponsored links that explicitly referenced the Complainant’s SYNGENTA trademark. Such use demonstrates an intent to capitalize on the Complainant’s reputation by attracting Internet users for commercial gain, within the meaning of paragraph 4(b)(iv) of the Policy. The fact that at the time of filing, however, the disputed domain name no longer resolved to an active website and instead displayed a blank/error page does not prevent a finding of bad faith under the doctrine established in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 15(a) of the Rules the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Paragraph 4(a) of the Policy directs that a complainant must prove each of the following:

- (i) that the disputed 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) that the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that the burden of proving that all these elements are present lies with the Complainant. At the same time, in accordance with paragraph 14(b) of the Rules, if a party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under, the Rules, or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate.

### **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 disputed domain name reproduces the SYNGENTA trademark in its entirety, with the addition of a second letter "s". Therefore, the disputed domain name is confusingly similar to the mark for the purposes of the Policy, since the disputed domain name "consists of a common, obvious, or intentional misspelling" of the trademark. [WIPO Overview 3.1](#), sections 1.7 and 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. In the absence of any explanation by the Respondent, the Panel finds that the misspelling of the Complainant's trademark in the disputed domain name signals an intention on the part of the Respondent to confuse users seeking or expecting the Complainant.

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.

With respect to the fact that the disputed domain name resolved to a PPC parking page displaying sponsored links that referenced the Complainant's SYNGENTA trademark, the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark. Moreover, the subsequent passive holding of the disputed domain name does not prevent a finding of bad faith.

The Panel further notes that the Respondent has not offered any explanation for having registered a domain name that is confusingly similar to the Complainant's distinctive trademark. Given the circumstances of the case, it is inconceivable to the Panel that the Respondent registered the disputed domain name without prior knowledge of the Complainant and the Complainant's mark.

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 <ssyngenta.com> be transferred to the Complainant.

*/Knud Wallberg/*

**Knud Wallberg**

Sole Panelist

Date: July 23, 2026