

ADMINISTRATIVE PANEL DECISION

Kyndryl, Inc. v. 勤倍瑞（上海）信息科技有限公司 (Kynbryl (Shanghai) Information Technology Co.,Ltd)
Case No. D2026-2379

1. The Parties

The Complainant is Kyndryl, Inc., United States of America ("United States"), represented by Com Laude Limited, United Kingdom.

The Respondent is 勤倍瑞（上海）信息科技有限公司 (Kynbryl (Shanghai) Information Technology Co.,Ltd), China.

2. The Domain Name and Registrar

The disputed domain name <kynbryl.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the "Registrar").

3. Procedural History

The Complaint was filed in English 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 3, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 3, 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 in English on June 8, 2026.

On June 3, 2026, the Center informed the parties in Chinese and English, that the language of the registration agreement for the disputed domain name is Chinese. On June 8, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on June 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 1, 2026.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on July 7, 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 United States company providing information technology infrastructure services. The Complainant designs, builds, manages, and modernizes complex information systems and provides services relating to, among other areas, cloud computing, artificial intelligence, digital workplaces, and hybrid information technology environments. The Complainant was formerly the infrastructure services business of International Business Machines Corporation ("IBM"). The "Kyndryl" name was publicly announced on April 12, 2021, and the Complainant's group became an independent publicly traded business in November 2021. The Complainant operates internationally, including in China, and maintains its principal website at "www.kyndryl.com".

The Complainant owns an international trademark portfolio for the mark KYNDRYL, including but not limited to the following: French Trademark Registration No. 4754262 for KYNDRYL, registered on April 12, 2021; and International Trademark Registration No. 1628208 for KYNDRYL, registered on June 14, 2021, designating countries including China, where the Respondent allegedly resides.

The disputed domain name was registered on August 13, 2021. According to the Complainant's evidence, and particularly screenshots obtained from the Internet Archive's Wayback Machine, dated March 29, 2024, the disputed domain name previously resolved to a bilingual (Chinese-English) commercial website offering information technology services, including services relating to information technology infrastructure, cloud computing, data management, digital workplaces, and related technology solutions. The website identified its operator as "Kynbryl (Shanghai) Information Technology Co., Ltd.", or "勤倍瑞（上海）信息科技有限公司" in Chinese, and displayed the name "Kynbryl" in a stylized logo which was visually similar to the Complainant's KYNDRYL logo. At the time of filing of the Complaint the disputed domain name no longer resolved to that website but instead resolved to a login page for Alibaba's email service, with the footer of that page displaying the Chinese company name "勤倍瑞（上海）信息科技有限公司". The Panel notes that on the date of this Decision, the disputed domain name still resolves to that login page. The Complainant's evidence further shows that the disputed domain name is configured with Mail Exchanger ("MX") and Sender Policy Framework ("SPF") records.

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 its KYNDRYL trademark. The disputed domain name incorporates a misspelling of the trademark in which the letter "d" is replaced by the letter "b". According to the Complainant, the letters "d" and "b" are visually similar and the term "kynbryl" has no dictionary or other commonly understood meaning. The Complainant submits that the disputed domain name therefore constitutes an instance of typosquatting and that the substitution of a single letter does not prevent a finding of confusing similarity. The Complainant further contends that the generic Top-Level Domain ".com" should be disregarded for the purpose of assessing confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its KYNDRYL trademark, and there is no affiliation or other relationship between the Parties. Although the website previously associated with the disputed domain name identified its operator as “Kynbryl (Shanghai) Information Technology Co., Ltd.”, the Complainant submits that its searches disclosed no evidence that the Respondent was genuinely commonly known by the name “Kynbryl” independently of the disputed domain name, or that the Respondent owned any corresponding trademark rights. The Complainant further submits that the Respondent’s previous use of the disputed domain name for a bilingual Chinese- and English-language commercial website offering information technology services similar to those of the Complainant, and displaying a logo visually similar to the Complainant’s logo, did not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. According to the Complainant, such use falsely suggested an affiliation with the Complainant and sought to obtain a commercial or reputational advantage through confusion with the Complainant’s trademark.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant relies on the coined and distinctive nature of the KYNDRYL trademark, the registration of the disputed domain name approximately four months after the public announcement of the Kyndryl name, and the Respondent’s subsequent use of the disputed domain name for a website offering information technology services similar to those of the Complainant. The Complainant further relies on the visual similarity between the logo displayed on the Respondent’s former website and the Complainant’s logo as evidence that the Respondent was aware of and targeted the Complainant and its trademark. According to the Complainant, the Respondent intentionally sought to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the website. The Complainant also notes that the disputed domain name currently resolves to an Alibaba email login page and is configured with MX and SPF records, enabling its use for email communications, although the Complainant does not provide evidence that the disputed domain name has actually been used for phishing or fraudulent email activity.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the disputed domain name is a typographical variation of its English-language KYNDRYL trademark, is registered under the “.com” generic Top-Level Domain rather than a Chinese country-code Top-Level Domain, and contains the term “kynbryl”, which has no meaning in the Chinese language. The Complainant further noted that the bilingual Chinese- and English-language website previously associated with the disputed domain name contained English-language content. According to the Complainant, these circumstances indicate that the Respondent is likely familiar with the English language. The Complainant further submitted that English is the working language of the Complainant and its representative and that requiring the translation of the Complaint into Chinese would result in additional expense and inconvenience.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Decision on the Merits

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 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 that the Complainant's KYNDRYL trademark is recognizable within the disputed domain name. The disputed domain name consists of an apparent misspelling (or "typosquatting") of the Complainant's trademark, in which the letter "d" has been replaced by the visually similar letter "b". This substitution does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark. See [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.

The Panel notes that the Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its KYNDRYL trademark or to register a domain name incorporating a variation of that trademark. There is also no evidence that the Respondent is affiliated with, or otherwise has any relationship with, the Complainant. Further, although the website previously associated with the disputed domain name identified its operator as "Kynbryl (Shanghai) Information Technology Co., Ltd.", the evidence does not establish that the Respondent was genuinely commonly known by the disputed domain name independently of its own registration and limited use thereof. Additionally, the Complainant's search results submitted as evidence did

not disclose any evidence that the Respondent owned any rights in KYNBRYL or was otherwise commonly known by that name before the registration of the disputed domain name. The evidence shows that the disputed domain name was previously used for a bilingual Chinese- and English-language commercial website purportedly offering information technology services overlapping with those offered by the Complainant. The website also displayed the name “Kynbryl” in a stylized logo visually similar to the Complainant’s KYNDRYL logo. In the circumstances of the case, such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the composition of the disputed domain name, together with the overlapping (or competing) nature of the services offered and the visual presentation of the website, created a misleading impression of an association with the Complainant.

The Panel further notes that the disputed domain name consists solely of a typosquatted version of the Complainant’s distinctive KYNDRYL trademark, replacing the letter “d” with the visually similar letter “b”, which is classic for cases of typosquatting. In these circumstances, the Panel considers that the disputed domain name may create a likelihood of confusion with the Complainant, as Internet users may not notice such a subtle difference (which is further confirmed by the allegedly overlapping services and imitation of the Complainant’s logo). These circumstances do not support any finding of rights or legitimate interests on the part of the Respondent.

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 disputed domain name consists of an apparent misspelling of the Complainant’s KYNDRYL trademark, differing only by the replacement of the letter “d” with the visually similar letter “b”. The Panel further notes that a previous panel under the Policy found that the Complainant’s KYNDRYL trademark is highly distinctive and well-known in its business field, including in China, where the Respondent allegedly resides, see *Kyndryl, Inc. v. 王明 (wang ming)*, WIPO Case No. [D2025-1304](#). The Panel also notes the distinctive and fanciful nature of the KYNDRYL trademark, the public announcement of the KYNDRYL mark by the Complainant on April 12, 2021, and the Complainant’s trademark registrations predating the registration date of the disputed domain name. The Panel has also considered that the disputed domain name was registered only approximately four months after the public announcement of the “Kynbryl” name and that the Respondent subsequently used the disputed domain name for a bilingual Chinese- and English-language commercial website offering information technology services similar to those of the Complainant and displaying a stylized “Kynbryl” logo visually similar to the Complainant’s logo. In the Panel’s opinion, these circumstances mean that the Respondent was, on balance of probabilities, aware of the Complainant and its KYNDRYL trademark and deliberately targeted them when registering the disputed domain name. Accordingly, the Panel finds that the disputed domain name was registered 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.

As to use in bad faith of the disputed domain name, the Complainant’s evidence shows that the Respondent previously used the disputed domain name for a bilingual Chinese- and English-language commercial website offering information technology services similar to those of the Complainant and displaying a stylized “Kynbryl” logo visually similar to the Complainant’s KYNDRYL logo. This means that the Respondent intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the website. Such conduct constitutes direct evidence of use in bad faith under paragraph 4(b)(iv) of 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 <kynbryl.com> be transferred to the Complainant.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: July 13, 2026