

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. he jxing
Case No. D2026-2509

1. The Parties

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

The Respondent is he jxing, China.

2. The Domain Name and Registrar

The disputed domain name <abbindustry.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 10, 2026. On June 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 12, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 12, 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 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 June 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 20, 2026.

The Center appointed Federica Togo as the sole panelist in this matter on July 24, 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

It results from the Complainant's undisputed allegations that the Complainant ABB Asea Brown Boveri Ltd. is part of ABB Group, a worldwide leading group of companies, operating in particular in the field of power and automation technology with over 100,000 employees in over 100 countries worldwide. Its product range includes, for example, products from the areas of high, medium and low voltage, industrial automation and comprehensive services in these areas. The Complainant is using its famous "ABB" device mark in connection with its products and on its website.

The Complainant is the registered owner of several trademarks for ABB worldwide, e.g. International trademark No. 781685 ABB, word, registered on March 27, 2002 for goods and services in classes 01, 02, 03, 04, 06, 07, 08, 09, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 25, 26, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and designating amongst others Germany and Italy.

The disputed domain name was registered on April 22, 2026. Furthermore, the undisputed evidence provided by the Complainant proves that the disputed domain name resolves to a website allegedly offering competing services, i.e. B2B building automation solutions with respect to lighting control and lighting programs, under the trademark ABB and indicating "Zurich, Switzerland" as location for its Technical Desk.

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 trademark since the element "ABB" of the disputed domain name is identical to the Complainant's ABB trademarks and the different element "industry" is simply descriptive directly relating to the Complainant's field of business, namely targeting the "industry". Further it contends that its house brand ABB are well known around the world.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the trademark ABB has worldwide reputation. The Complainant confirmed that it has not authorized the Respondent to use the disputed domain name. Nor is the Respondent affiliated with it. In these circumstances, the use of the disputed domain name to misrepresent that the Respondent is the Complainant does not qualify as an offering of services in good faith for the purposes of the Policy. This is particularly true given that the Respondent fraudulently claims to be ABB. In addition, the Respondent even indicates "Zurich, Switzerland" as the location of its alleged "technical desk", which is exactly where the Complainant has its principal place of business. It is no coincidence that the Respondent claims to operate in the very field of building automation in which the Complainant is active. Internet users will inevitably assume that this is an official offering of the Complainant, or that the operator of the disputed website "abbindustry.com" is in some way affiliated with or authorised by ABB – the Complainant.

Furthermore, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the mere fact that the Respondent registered the disputed domain name that is highly similar to the well-known ABB trademarks and the Respondent is copying the Complainant's well-known ABB wordmark on the website shows that the Respondent acted in bad faith. The

domain name was clearly registered with the intent of misleading Internet users as to the commercial origin of the offers and the website, presumably for commercial gain. That the disputed domain name was registered in bad faith is also supported by the fact that the Respondent gives the false impression on the website that it is operated by “ABB” – i.e. the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that each disputed domain name be transferred or cancelled:

- (i) the disputed domain name 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 disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

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 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 “industry” may bear on assessment of the second and third elements, the Panel finds the addition of such term 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.

Regarding the composition of the disputed domain name, the Panel notes that the disputed domain name contains the Complainant's registered trademark ABB plus the addition of the generic term "industry" which is within the trademark owner's field of commerce. This Panel finds it most likely that the composition of the disputed domain name signals an intention on the part of the Respondent to confuse Internet users seeking or expecting the Complainant. This is corroborated by the content of the website to which the disputed domain name resolves, displaying the Complainant's ABB mark and allegedly offering services in the Complainant's area of activity and indicating "Zurich, Switzerland" as location for its Technical Desk, which is exactly the location where the Complainant has its principal place of office. [WIPO Overview 3.1](#), section 2.5.1.

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 resolves to website displaying the Complainant's ABB mark and allegedly offering competing services and indicating "Zurich, Switzerland" as location for its Technical Desk, which is exactly the same location where the Complainant has its principal place of office. For the Panel, it is therefore evident that the Respondent positively knew the Complainant's mark. Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent knew that the disputed domain name included the Complainant's trademark when it registered the disputed domain name.

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. In this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the findings that the Respondent has registered and is using the disputed domain name in bad faith:

- (1) the nature of the disputed domain name, incorporating the Complainant's mark plus the addition of the term "industry" in the Complainant's field of activity.
- (2) the content of the website to which the disputed domain name resolves (i.e. website displaying the Complainant's mark and allegedly offering competing services);
- (3) a clear absence of rights or legitimate interests coupled with the Respondent's failure to provide any explanation for its choice of the disputed domain name;

(4) the Respondent concealing its identity through a privacy service.

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 <abbindustry.com> be transferred to the Complainant.

/Federica Togo/

Federica Togo

Sole Panelist

Date: August 5, 2026