

ADMINISTRATIVE PANEL DECISION

Exactlogix, Inc v. emmanuel gonzalez, ast
Case No. D2026-2601

1. The Parties

The Complainant is Exactlogix, Inc, United States of America, represented by WilliamsMcCarthy LLP, United States of America.

The Respondent is emmanuel gonzalez, ast, Mexico.

2. The Domain Name and Registrar

The disputed domain name <my-acculynx.com> (the “Domain Name”) is registered with Mat Bao Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 15, 2026. On June 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On June 16, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (“Domain Admin”) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 1, 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 on July 7, 2026.

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 of the Complaint, and the proceedings commenced on July 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 12, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on August 17, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant provides cloud-based roofing contractor software for roofing professionals under the ACCULYNX trademark since February 1, 2009. As of January 2023, over USD 50 billion worth of roofing job contracts have been managed through the Complainant's platform. The Complainant owns the United States trademark registration no. 3,886,987 (registered December 7, 2010). It operates its customer portal at the subdomain <my.acculynx.com>.

The Domain Name was registered on June 11, 2026. The Complainant documents that that the Domain Name has resolved to a webpage that reproduces the Complainant's sign-in page. The Respondent's unauthorized webpage displayed the Complainant's ACCULYNX word mark and logo and lured the Complainant's customers into entering their login credentials. At the time of drafting the Decision, the Domain Name resolves to an error page.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of its trademark registration and argues that its trademark has acquired recognition and goodwill in the roofing industry software market. The Complainant argues that the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name incorporates the Complainant's trademark in its entirety, preceded only by the non-distinctive prefix "my-". The addition of "my-" does nothing to distinguish the Domain Name from the Complainant's trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant has not authorized the Respondent to use and register its trademark. There is no evidence that the Respondent is or has ever been commonly known by the name "my-acculynx". The Complainant asserts there is no bona fide offering by the Respondent, but only bad faith use as the Respondent uses the Domain Name to operate a website that reproduces the Complainant's customer sign-in page in order to harvest the login credentials of the Complainant's customers.

Based on the composition and use of the Domain Name, the Complainant argues that the Respondent registered the Domain Name with the Complainant's mark in mind and for the purpose of deceiving the Complainant's customers. The use of the Domain Name for phishing purposes is an illegitimate activity that is evidence of bad faith. In this context, the Respondent's use of a privacy service is further indication of bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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 Domain Name. See WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has established that it has rights in the trademark ACCULYNX. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "my-". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain; see [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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.

The Respondent is not affiliated with or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the Respondent's use is evidence of bad faith, see below.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

The Respondent knew of the Complainant when the Respondent registered the Domain Name. It follows from the composition and use of the Domain Name. The use of the Domain Name, impersonating the Complainant by mimicking its sign-in page with the Complainant's mark and logo, likely phishing for customer data for improper purposes, is clear evidence of bad faith use. The Panel finds that the Respondent has registered the Domain Name, which is confusingly similar to the Complainant's trademark, to drive Internet traffic to the Respondent's webpage by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. See paragraph 4(b)(iv) of the Policy.

Based on the available record, 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 the Domain Name <my-acculynx.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: August 19, 2026