

## **ADMINISTRATIVE PANEL DECISION**

Dentsply Sirona Inc., Dentsply IH AB v. yating sun  
Case No. D2026-2608

### **1. The Parties**

The Complainants are Dentsply Sirona Inc., United States of America (“United States”), and Dentsply IH AB, Sweden, represented by Schwegman Lundberg & Woessner, P.A., United States .

The Respondent is yating sun, China.

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

The disputed domain name <astra-tech.shop> (the “Disputed Domain Name”) 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 15, 2026. On June 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 17, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 22, 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 22, 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 16, 2026.

The Center appointed Gabriela Kennedy 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**

The second Complainant, Dentsply IH AB, is a wholly owned subsidiary of the first Complainant Dentsply Sirona Inc., a dental supply company, which is a manufacturer of professional dental products and technologies, with operations in more than 40 countries, and a sales presence in more than 120 countries.

The Complainant, Dentsply IH AB owns various word trademarks containing “Astra tech” in multiple jurisdictions. The relevant trademark registrations include, inter alia, the European Union Trademark Registration No. 005002035 for ASTRA TECH DENTAL in Class 10 registered on October 18, 2007, and the International Trademark Registration No. 899078 ASTRA TECH DENTAL in Class 10 registered on March 22, 2006 designating Australia, Switzerland, Japan, Republic of Korea, and Russian Federation (the “Complainant’s Trademark”). The Complainant also owns trademarks for ASTRA TECH IMPLANT SYSTEM, including the International Trademark Registration No. 900848 in Class 10 registered on December 8, 2005 designating Australia, Switzerland, Japan, Republic of Korea, Russian Federation, and the United States.

The Disputed Domain Name was registered on September 10, 2025, many years after the Complainant registered the Complainant’s Trademark. At the time of filing of the Complaint and the rendering of this Decision, the Disputed Domain Name resolved to an active website displaying the term “Astra Tech” and the Complainant’s Trademark ASTRA TECH IMPLANT SYSTEM, and advertising dental products which are identical or similar to those of the Complainant (the “Respondent’s Website”).

#### **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:

- (a) the Disputed Domain Name is confusingly similar to the Complainant’s Trademark. The core element of the Complainant’s Trademark, “Astra Tech” is incorporated in the Disputed Domain Name in its entirety. The use of the dominant element of the Complainant’s Trademark is likely to cause confusion and damage to the Complainant’s goodwill and reputation.
- (b) the Respondent has no rights or legitimate interests in the Disputed Domain Name. The term “Astra Tech” has no meaning in the English language and is only known as being the Complainant’s Trademark. The Respondent is displaying the ASTRA TECH marks throughout the Respondent’s Website and offering to sell goods that are identical to the goods sold by the Complainant. As such, the Respondent is not using the Disputed Domain Name in connection with any bona fide offering of goods or services. The Respondent registered the Disputed Domain Name to set up a scheme to pass itself off as operating a business under a name identical to the Complainant. Such fraudulent use can never confer rights or legitimate interests. Furthermore, the Complainant has not given the Respondent any authorization or license to use its registered or common law marks, and there is no connection between the parties. There is also no evidence that the Respondent has been commonly known by the Disputed Domain Name or has any trademark or service mark rights to it.

(c) The Respondent has registered the Disputed Domain Name and is using it in bad faith. The Respondent was fully aware of the Complainant when registering and using the Disputed Domain Name as the Respondent's Website displays the Complainant's ASTRA TECH IMPLANT SYSTEM trademark and also features the Complainant's associated trademarks (OSSEOSPEED, PRIMETAPER, and ATLANTIS). Most importantly, the Terms and Conditions section of the Respondent's Website state "Astra Tech is a registered trademark of Dentsply Sirona Inc. or its affiliates". The Respondent is intentionally attracting Internet users by creating a likelihood of confusion with the Complainant as to the source, sponsorship, or affiliation of the Respondent's Website, for Respondent's own commercial gain by presenting itself as a business operating under the name "Astra Tech Implants" and indicating that it sells dental products branded with the Complainant's Trademarks.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

- (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 by the Respondent 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.

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 Trademark is recognizable within the Disputed Domain Name, as the Disputed Domain Name incorporates the core element "Astra Tech" in the Complainant's Trademark. It is also well established that the generic Top-Level Domain ("gTLD"), ".shop" in this case, may be disregarded. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's Trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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.

In the present case, the Respondent did not submit a Response. The fact that the Respondent did not submit a Response does not automatically result in a decision in favor of the Complainant. However, the Respondent's failure to file a Response may result in the Panel drawing appropriate inferences from such default. The Panel may also accept all reasonable and supported allegations and inferences flowing from the Complainant as true (see *Entertainment Shopping AG v. Nischal Soni, Sonik Technologies*, WIPO Case No. [D2009-1437](#); and *Charles Jourdan Holding AG v. AAIM*, WIPO Case No. [D2000-0403](#)).

The Panel notes that there is no evidence on the available record to show that the Respondent has trademark rights corresponding to the Disputed Domain Name, or that the Respondent has become commonly known by the Disputed Domain Name. The Panel also notes that the Complainant has provided no license or authorization of any kind to the Respondent to use the Complainant's Trademark or to apply for or use any domain name incorporating the Complainant's Trademark. The Respondent would likely not have adopted the Complainant's Trademark if not for the purpose of creating an impression that the Disputed Domain Name is associated with, or originates from, the Complainant. The reproduction of the dominant element of the Complainant's Trademark (i.e., "Astra Tech") in the Disputed Domain Name, as well as the use of the Complainant's Trademark on the Respondent's Website, also lead to a risk of confusion.

There is also no evidence to suggest that the Respondent's use of the Disputed Domain Name is in connection with a bona fide offering of goods or services or be regarded as legitimate noncommercial or fair use. The Respondent registered the Disputed Domain Name that incorporates the core element of the Complainant's Trademark, and has used the Respondent's Website to advertise "Astra Tech" branded dental products without Complainant's authorization, with an attempt to capitalize on the goodwill associated with the Complainant's Trademark. Although the terms and conditions of the Respondent's Website provides that "the primary purpose of our Website is to provide educational information about dental implant solutions and related products for both dental professionals and patients", most other parts of the Respondent's Website (including the "About Us" page) include statements indicating that the Respondent is passing itself off as "Astra Tech Implants", creating a likelihood of confusion that the Respondent's Website is associated with the Complainant, when it is not the case.

Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 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 it is difficult to conceive of any plausible use of the Disputed Domain Name by the unaffiliated Respondent that would amount to good faith use, given that the Disputed Domain Name incorporates the dominant element of the Complainant's Trademark ("Astra Tech") and the Complainant's ASTRA TECH IMPLANT SYSTEM trademark is displayed on the Respondent's Website. The Respondent has registered and used the Disputed Domain Name to mislead and divert Internet users to the

Respondent's 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 Respondent's Website. Further, the Respondent failed to respond to the Complainant's contentions and has provided no evidence of any actual or contemplated good faith use of the Disputed Domain Name.

Panels have previously held that a finding of bad faith may be established where a complainant's trademark is shown to be well known or in wide use at the time of registration of the disputed domain name (see *LEGO Juris A/S v. store24hour*, WIPO Case No. [D2013-0091](#)). The Respondent must have been aware of the Complainant and the Complainant's Trademark when registering and using the Disputed Domain Name given the well-known nature of the Complainant's Trademark, the fact that the Complainant's Trademark was put into use well before the Respondent registered the Disputed Domain Name, and the fact that the Respondent's Website names the Complainant as the owner of the "Astra Tech" trademark. Moreover, the Respondent's Website features the Complainant's Trademark and advertises "Astra Tech" branded dental products without the Complainant's authorization, which creates a false impression of being a website authorized or endorsed by the Complainant when it is not.

Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under 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 <astra-tech.shop> be transferred to the Complainant.

*/Gabriela Kennedy/*

**Gabriela Kennedy**

Sole Panelist

Date: August 7, 2026