

ADMINISTRATIVE PANEL DECISION

BuildTime LLC v. Christoffer Klint
Case No. D2026-2652

1. The Parties

The Complainant is BuildTime LLC, United States of America, represented by The Sladkus Law Group, United States of America ("United States" or "U.S.").

The Respondent is Christoffer Klint, Sweden.

2. The Domain Name and Registrar

The disputed domain name <buildtime.org> 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 18, 2026. On June 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 19, 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 19, 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 19, 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 14, 2026.

The Center appointed John Swinson as the sole panelist in this matter on July 22, 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 company from Georgia, United States, that was established in 2024. The Complainant is a subsidiary of Allison-Smith Company, LLC, which is a well-established commercial construction firm.

The Complainant provides workforce management software and services, including a mobile application for timekeeping, scheduling, payroll processing, job costing, and related workforce management functions.

On January 27, 2025, the Complainant registered the domain <buildtime.us>. The Complainant announced its BUILDTIME software product at a trade show in Chicago in September 2025. A press release was issued on September 8, 2025, in this regard.

Presently, the Complainant has over 1,000 users of its BUILDTIME software product and related services.

On February 13, 2026, the Complainant filed U.S. Trademark Application Serial No. 99651566 for the BUILDTIME mark. At the present time, this application is pending.

The Respondent did not file a Response, so little information is known about the Respondent. According to the Registrar's records, the Respondent has an address in Sweden. According to information provided by the Complainant, the Respondent is a personal trainer and nutritional advisor.

The disputed domain name was registered on February 25, 2026.

At one time, the disputed domain name resolved to a website with the heading "Build Time" and the words "Simple time tracking for small construction teams" and "Open App".

At the time of writing this decision, the disputed domain name does not resolve to an active website.

The Complainant downloaded a software application from the website at the disputed domain name. This software application has, according to the Complainant, similar product functions to that of the Complainant's BUILDTIME product. The privacy policy accessible through the software product downloaded by the Complainant indicates that the Data Controller is Fitnesskonsulten Skövde AB of Sweden and that the contact person is the Respondent.

On or about June 5, 2026, the Complainant sent a letter to the Respondent and to Fitnesskonsulten Skövde AB advising them of the Complainant's rights in the BUILDTIME mark. The Complainant did not receive a response to that letter.

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.

In summary, the Complainant contends that the Complainant has developed trademark rights in BUILDTIME since at least October 2024 through use and substantive marketing.

The Respondent registered the disputed domain name after the Complainant's use of BUILDTIME.

The Respondent is not associated with the Complainant and is not commonly known by the disputed domain name.

The Respondent appears to be clearly targeting the Complainant and its BUILDTIME mark by registering and using the disputed domain name to offer a competing timekeeping application that also purports to use unique QR code creation and scanning to track time – just like the Complainant's BUILDTIME software and services. Moreover, that the disputed domain name was registered only 12 days after the Complainant's BUILDTIME Trademark Application was filed further suggests an intentional effort to target the Complainant and its BUILDTIME mark.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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 onus of proving these elements is on the Complainant.

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.

A pending trademark application is insufficient to demonstrate trademark rights for the purposes of the Policy.

The Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.3. The Complainant provided evidence of its use of the BUILDTIME mark, its significant marketing expenditure and the use of its BUILDTIME software. This is sufficient, for the purposes of the Policy, to demonstrate that the mark has acquired secondary meaning, and has been used in commerce as a designation of source.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark 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.

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 Respondent is a fitness trainer, and it is possible that the Respondent registered the disputed domain name for such purposes, e.g., to signify time to do body building. However, the actual use of the disputed domain name is for a software product that competes with the Complainant’s software product, and which is unrelated to body building, particularly noting the mentioning of “construction teams” on the website at the disputed domain name. In the circumstances, without further evidence from the Respondent, such competing use is not sufficient to demonstrate bona fide use of the disputed domain name for the purposes of the Policy.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

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 the present case, the Complainant has not provided evidence to demonstrate that the Complainant’s BUILDTIME mark or software product had developed a reputation in Sweden where the Respondent is located. However, the Respondent registered the disputed domain name a mere 12 days after the Complainant’s U.S. BUILDTIME trademark application was filed and soon after launched an App that was directly competitive to the Complainant’s software product and directed to the same market segment, namely the construction industry. Moreover, the Respondent’s logo includes a hammer, and the Complainant’s logo also includes a hammer. The Complainant submits that this is more than a coincident, and evidences the Respondent’s bad faith attempt to trade on the Complainant’s rights.

The Respondent did not respond to the Complainant's correspondence or to the Complaint. Moreover, the website at the disputed domain name was taken down after the Complaint was served on the Respondent.

Considering the evidence before the Panel, the Panel concludes that the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with 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 <buildtime.org> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: August 5, 2026