

## **ADMINISTRATIVE PANEL DECISION**

Calibrium AG, C Partners Holding GmbH v. Host Master, Njalla Okta LLC  
Case No. D2026-2658

### **1. The Parties**

The Complainants are Calibrium AG, Switzerland, and C Partners Holding GmbH, Switzerland, represented by Niederer Kraft Frey Ltd, Switzerland.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

### **2. The Domain Names and Registrars**

The disputed domain name <calibrium-ag.cc> is registered with Immaterialism Limited.

The disputed domain names <calibrium-ag.services>, <calibrium-ag.com>, <calibrium-ag.net>, <calibriumag.com>, and <calibriumag.net> are registered with Tucows Domains Inc.

(collectively, the “Registrars”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 18, 2026 regarding the disputed domain names <calibrium-ag.cc>, <calibrium-ag.services>, <calibrium-ag.com>, <calibrium-ag.net>, and <calibriumag.com> (“the original disputed domain names”). On June 18, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the original disputed domain names. On June 18, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the original disputed domain names which differed from the named Respondent (redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainants on June 23, 2026, providing the registrant and contact information disclosed by the Registrars, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint on June 26, 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 July 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 30, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on August 6, 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.

On July 6 and 27, 2026, the Complainants requested the addition of the disputed domain name <calibriumag.net> ("the additional disputed domain name") to the Complaint. On August 10, 2026, upon the Panel's instruction, the Center transmitted by email to the Registrar, Tucows Domains Inc., a request for registrar verification in connection with the additional disputed domain name. On August 10, 2026, the Registrar transmitted by email to the Center its verification response, confirming the Respondent is the registrant of the additional disputed domain name and providing contact information for the additional disputed domain name.

On August 13, 2026, the Panel issued the Panel Order No.1, directing the Complainants to file, by August 18, 2026, an amended Complaint, adding the additional disputed domain name and the disclosed registrant information, together with any further arguments in view thereof, and affording the Respondent until August 23, 2026, to make submissions regarding the Complainants' submission. The Complainants filed an amended Complaint on August 14, 2026. The Respondent did not submit any response.

#### **4. Factual Background**

The Complainants are Swiss companies and affiliated entities providing financial and investment services (hereafter collectively the "Complainant"). The Complainant, C Partners Holding GmbH, owns a number of trademark registrations for the trademark CALIBRIUM, including the following:

- International Trademark Registration Number 1336554, registered on December 13, 2016;
- Swiss Trademark Registration Number 696529, registered on December 13, 2016; and
- Hong Kong, China Trademark Registration Number 305169088, registered on January 14, 2020.

Based on information from the Registrars, the Respondent is an entity with an address in Saint Kitts and Nevis.

The disputed domain names <calibrium-ag.cc>, <calibrium-ag.com>, <calibrium-ag.net>, and <calibriumag.com> were registered on April 24, 2026.

The disputed domain name <calibrium-ag.services> was registered on May 14, 2026.

The disputed domain name <calibriumag.net> was registered on July 1, 2026.

At the time of filing of the Complaint, the disputed domain names <calibrium-ag.cc> and <calibriumag.net> resolved to virtually identical websites that purported to be operated by a company called "CALIBRIUM AG", offering financial services involving cryptocurrency, stock, and foreign-exchange trading. The websites displayed the Complainant's address, provided a telephone number with a Swiss country code, and included hyperlinks to third-party websites containing information about the Complainant. They also invited visitors to subscribe to service packages priced between USD 250 and USD 250,000.

At the time of filing of the Complaint, the disputed domain name <calibrium-ag.services> resolved to a website that displayed the name “CALIBRIUM AG” and requested visitors’ personal and bank account information, including usernames and passwords.

The disputed domain names <calibrium-ag.com>, <calibrium-ag.net>, and <callibriumag.com> do not resolve to any active websites.

## **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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the mark in which the Complainant has rights since the disputed domain names incorporate the Complainant’s CALIBRIUM mark as a whole, with only the addition of the term “ag” at the end of the disputed domain names which corresponds to the Complainant’s legal form. As for the disputed domain name <callibriumag.com> which has an extra letter “l”, the Complainant contends that it is a common, obvious, and intentional misspelling of the CALIBRIUM mark.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent’s use of, or demonstrable preparations to use, the disputed domain names in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain names or that the Respondent is making a legitimate noncommercial or fair use of them. The Complainant also contends that the Respondent used the disputed domain names to mislead and divert consumers by using the Complainant’s trademark and falsely making references to the Complainant’s corporate information.

Finally, the Complainant contends that its CALIBRIUM mark is distinctive and that it is highly unlikely for the Respondent to have registered the disputed domain names by coincidence. The Complainant also contends that the Respondent intentionally targeted the Complainant when registering the disputed domain names based on its use of some of the disputed domain names.

### **B. Respondent**

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

## **6. Discussion and Findings**

### **Additional Disputed Domain Name**

The Complainant requested that the disputed domain name <calibriumag.net> be added to the Complaint after the notification of the Complaint. The Complainant alleges that the Respondent registered the disputed domain name <calibriumag.net> on July 1, 2026, the date of the Notification of the Complaint, and that it resolved to a website identical to that of one of the disputed domain names. Therefore, the Complainant contends, all the disputed domain names are under control of the same Respondent.

The Policy and the Rules contain no express provision governing a request to add a domain name to a pending proceeding that is made after the filing of a complaint. Nevertheless, panels may permit such request pursuant to paragraphs 10(a) and 10(b) of the Rules. These provisions authorize a panel to conduct the proceeding in such manner as it considers appropriate, require that the parties be treated equally and be given a fair opportunity to present their respective cases, and empower the panel to decide on requests for adding a domain name after notification of the Complaint.

Here, the disputed domain name <calibriumag.net> was registered on or subsequent to complaint notification, using the same registrant's name, address, and telephone number as the original disputed domain names. In addition, <calibriumag.net> resolves to a website that is essentially identical to the website associated with <calibrium-ag.cc>. The Complainant's claims against all the disputed domain names also arise from the same trademark rights, substantially the same underlying facts, and the same alleged pattern of abusive conduct.

As regards fairness and equity, the Panel sees no reason why adding the disputed domain name <calibriumag.net> to the subject proceeding would be unfair or inequitable to any Party. The Respondent was notified of the amended Complaint and afforded time to address the arguments concerning <calibriumag.net>, though it did not submit any response.

Accordingly, the Panel grants the addition of the disputed domain name <calibriumag.net> to this proceeding and will consider it together with the other disputed domain names.

#### **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 names. 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 the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other elements – here, “ag” and/or hyphen – may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the disputed domain names and the CALIBRIUM mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. Regarding the disputed domain name <callibriumag.com>, the Panel notes “callibrium” is a misspelling of the Complainant's mark by adding the letter “l”, which does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), section 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 names. 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 names such as those enumerated in the Policy or otherwise.

Further, the disputed domain names <calibrium-ag.cc>, <calibrium-ag.services>, and <calibriumag.net> were used for websites describing itself as Calibrium AG, purportedly offering financial services – the very services of the Complainant. Panels have held that the use of a domain name for illegitimate activity – here, claimed copycat sites, unauthorized account access, and potential phishing – can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Moreover, UDRP panels have found that where a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.1](#), section 2.5.1. Here, the disputed domain names <calibrium-ag.cc>, <calibrium-ag.services>, <calibrium-ag.com>, <calibrium-ag.net>, and <calibriumag.net> all consist of the CALIBRIUM mark in its entirety, and the only difference is the term “ag” at the end which denotes the actual corporate name of the Complainant. Therefore, the disputed domain names are likely to mislead Internet users into believing that they are connected to the Complainant, contrary to the fact.

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 Respondent registered multiple disputed domain names containing the Complainant's mark and linked some of them to websites purporting to be that of the Complainant. Based on this use, it is highly unlikely for the Respondent to have registered the disputed domain names by chance. Rather, the Panel finds that the Respondent was most likely aware of the Complainant and its trademark and targeted the Complainant when registering the disputed domain names.

Panels have also held that the use of a domain name for illegitimate activity – here, claimed copycat sites, unauthorized account access, and potential phishing – constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of disputed domain names <calibrium-ag.cc>, <calibrium-ag.services>, and <calibriumag.net> constitutes bad faith under the Policy.

The disputed domain names <calibrium-ag.com>, <calibrium-ag.net>, and <callibriumag.com> resolve to inactive websites. However, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the degree of the distinctiveness or reputation of the Complainant's mark, the composition of the disputed domain names and the manner in which the Respondent used the other disputed domain names and finds that in the circumstances of this case, the passive holding of the disputed domain names does not prevent a finding of 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 names <calibrium-ag.cc>, <calibrium-ag.services>, <calibrium-ag.com>, <calibrium-ag.net>, <callibriumag.com>, and <calibriumag.net> be transferred to the Complainant.

*/Kathryn Lee/*

**Kathryn Lee**

Sole Panelist

Date: September 2, 2026