

ADMINISTRATIVE PANEL DECISION

Munters AB v. he jxing
Case No. D2026-2930

1. The Parties

The Complainant is Munters AB, Sweden, represented by Zacco Sweden AB, Sweden.

The Respondent is he jxing, China.

2. The Domain Name and Registrar

The disputed domain name <muntersus.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 July 3, 2026. On July 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 7, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 7, 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 July 7, 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 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 11, 2026.

The Center appointed Stefan Bojovic as the sole panelist in this matter on August 19, 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 global company operating in the field of energy-efficient air treatment and climate solutions. The Complainant has been active in this field since 1955 and provides technologies for creating controlled climates for customers across a wide range of sectors where climate control, air quality, humidity control, cooling, and energy efficiency are essential, including industrial, commercial, food, pharmaceutical, data center, and agricultural applications. The Complainant currently employs more than 5,000 people in 25 countries across five continents.

The Complainant and its affiliates are the owners of the MUTERS trademark which is protected by trademark registrations in various jurisdictions, including the following:

- International trademark registration No. 1241832 for MUTERS, registered on June 2, 2014;
- European Union trademark registration No. 012912945 for MUTERS, registered on October 21, 2014; and
- United States of America ("United States") trademark registration No. 1288845 for MUTERS, registered on August 7, 1984.

The Complainant also owns domain names reflecting its MUTERS trademark, such as <muters.com>, registered on July 27, 1995.

The disputed domain name was registered on April 1, 2026, and resolves to a website purportedly offering air treatment and climate solutions under the name "Muters". The website does not contain any disclaimer accurately and prominently disclosing the absence of a relationship between the Respondent and the Complainant. The contact information provided on the website indicates that the alleged entity behind the website is located in Charlotte, North Carolina, United States, while the telephone number provided on the website starts with "555", a prefix commonly used for fictional telephone numbers in the United States.

On June 15, 2026, the Complainant sent a cease-and-desist letter to the Respondent requesting, inter alia, cessation of the use of the disputed domain name and its transfer to the Complainant. The Respondent did not respond to the 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.

Notably, the Complainant contends that the disputed domain name incorporates the Complainant's MUTERS trademark in its entirety, together with the descriptive or geographical element "us", which most likely refers to the United States. The addition of the generic Top-Level Domain ("gTLD") ".com" does not have any impact on the overall impression of the dominant portion of the disputed domain name and is therefore irrelevant when determining the confusing similarity between the Complainant's trademark and the disputed domain name.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that no license or authorization of any kind has been given by the Complainant to the Respondent to register or use the trademark MUTERS as a domain name or otherwise, and the Complainant has found no information indicating that the Respondent is trading under any company name corresponding to the disputed domain name or that it has any other legal rights to that name. The Respondent is also not an authorized representative of the Complainant's products or services and has never had a business relationship with the Complainant. The Complainant further adds that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. Instead, the Respondent has intentionally chosen the disputed domain name based on the Complainant's trademark and reputation to

host a website that is designed to impersonate the Complainant's company and its commercial website. The Complainant argues that the Respondent is actively attempting to create the false impression that the disputed domain name and website to which it resolves are somehow connected to or operated by the Complainant. This is further supported by the fact that on the website there is no genuine information available about the Respondent, and there is no disclaimer present that accurately and prominently discloses the Respondent's relationship with the Complainant.

With reference to the circumstances evidencing bad faith, the Complainant indicates that the Respondent registered the disputed domain name several decades after the Complainant first obtained trademark rights for MUNTERS. From the use of the disputed domain name, it is obvious that the Respondent was fully aware of the Complainant at the time of registration of the disputed domain name, and that it was the Complainant's well-known business, company name, and trademark, that motivated the Respondent to register and use the disputed domain name. The Complainant can only presume that the Respondent's purpose with the website to which the disputed domain name resolves is to intentionally create the false impression that it is affiliated with or operated by the Complainant, for either commercial, illicit or fraudulent purposes.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel shall 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 stipulates that the complainant must prove each of the following:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) that the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used 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 entirety of the Complainant's MUNTERS trademark is reproduced within the disputed domain name. 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.

Although the addition of other terms (here, the term "us"), 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.

In addition, it is well established that ".com", as a gTLD, is disregarded in the assessment of the confusing similarity between the disputed domain name and the trademark. [WIPO Overview 3.1](#), section 1.11.1.

The Panel, therefore, finds that 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 Panel notes that according to the record there is no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant’s MUTERS trademark. There appears to be no element from which the Panel could infer the Respondent’s rights or legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The disputed domain name resolves to a website purportedly offering air treatment and climate solutions under the name “Muters”. The website does not contain any disclaimer accurately and prominently disclosing the absence of a relationship between the Respondent and the Complainant. The Panel holds that such use of the disputed domain name cannot be considered as bona fide offering of goods and services, especially when it is coupled with obvious use of false contact details on the website. Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation and passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel also finds that the composition of the disputed domain name, which contains the Complainant’s MUTERS trademark in combination with the geographical term “us” (which stands for ISO 3166-1 alpha-2 two-letter country code for the United States), carries a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

Having in mind the above, 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.

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 Panel notes that the Respondent must have been well aware of the Complainant and its MUTERS trademark at the time of the registration of the disputed domain name. Namely, the first

registration and use of the MUTERS trademark predate the registration of the disputed domain name by several decades, making it likely that the Respondent was aware of the Complainant's trademark at the time of registration of the disputed domain name. Furthermore, the impersonating content of the website to which the disputed domain name resolves, leaves no room for doubt on the Respondent's knowledge of the Complainant and its MUTERS trademark and evidences that the Respondent actually had the Complainant in mind when registering the disputed domain name.

Furthermore, the additional term "us" in the disputed domain name directly corresponds to the geographical coverage of the Complainant's business activities, having in mind that the Complainant has been present in the United States market for a long time and its MUTERS trademark has been registered in the United States since 1984. Such composition of the disputed domain name, coupled with its use, affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant and its trademark.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

As discussed above, the disputed domain name resolves to a website purportedly offering air treatment and climate solutions under the name "Munters", without disclosing the lack of relationship with the Complainant and obviously containing false contact information by using "555" prefix, commonly used for fictional telephone numbers in the United States. Such use of the disputed domain name cannot be regarded as a good-faith use. Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation and passing off) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

In accordance with the above, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

Therefore, 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 <muntersus.com> be transferred to the Complainant.

/Stefan Bojovic/

Stefan Bojovic

Sole Panelist

Date: August 26, 2026