ADMINISTRATIVE Panel DECISION

CNerd Inc. v. Domain Admin, FindYourDomain
Case No. D2026-3015

1. The Parties

Complainant is CNerd Inc., United States of America ("United States"), internally represented.

Respondent is Domain Admin, FindYourDomain, United States, represented by Grant G. Carpenter, United States.

2. The Domain Name and Registrar

The disputed domain name <cnerd.com> (hereinafter "Disputed Domain Name") is registered with Wild West Domains, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 9, 2026. On July 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 11, 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 (Registration Private, Domains by Proxy LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on July 13, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on July 13, 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 Respondent of the Complaint, and the proceedings commenced on July 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2026. The Response was filed with the Center on July 29, 2026. The parties both submitted unsolicited supplemental filings detailed below. On August 19, 2026, the Panel issued a Procedural Order which is discussed further below.

On July 31, 2026, Complainant submitted a Supplemental Filing (the "First Supplemental Filing") with additional annexes. On August 4, 2026, Respondent submitted a Supplemental Filing in response to the Complainant's Supplemental Filing. On August 5, 2026, Complainant submitted another Supplemental Filing (the "Second Supplemental Filing") with an additional annex.

The Center appointed Lawrence K. Nodine 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 by the Center to ensure compliance with the Rules, paragraph 7.

On August 19, 2026, the Panel issued an Administrative Panel Procedural Order No. 1, requesting Complainant to submit a list of missing annexes mentioned in the amended Complaint and inviting Respondent to comment on the missing annexes upon receipt. Complainant sent a supplemental submission discussing the missing annexes along with the annexes themselves to the Center on August 23, 2026. Respondent, in turn, responded thereto by submitting a supplemental filing on August 28, 2026. In response to Respondent's submissions, Complainant submitted a further Supplemental Filing (the "Third Supplemental Filing") on August 29, 2026.

4. Factual Background

Complainant, a business incorporated in New York state in 2003 and based in Olean,[1] New York and, states that it adopted the term "CNerd" (hereinafter the "Mark") in 1998 in connection with computer consulting and technology services, and that it registered and used the Disputed Domain Name as its primary website and email address from at least 2000 until the Disputed Domain Name lapsed in January 2024. In Complainant's view, the Mark is a combination of "C" as an initialism for "Computer" and "nerd," in its descriptive sense, thus a "computer nerd." Complainant's founder and CEO, Michael Kinter, also describes himself as a "camera nerd" (he invented a novel camera that received favorable attention in the press) and as a "construction nerd."

The Mark is not registered in any jurisdiction, but Complainant contends that it owns common law rights in the Mark.

The Disputed Domain Name <cnerd.com> was registered on November 28, 1998. Complainant states that it owned and used the Disputed Domain Name continuously from at least January 2000 until January 2024, when the registration lapsed due to a failed automatic renewal charge.

Respondent is a domain name investor. One of its investment strategies is to purchase and offer for sale domain names that include the term "nerd." Respondent submitted a screenshot from its registrar account showing 76 domain names, including the Disputed Domain Name, that contain the term "nerd" plus other letters or words. Many of these domain names pair the term "nerd" with an ordinary descriptive or generic prefix (e.g., <adnerd.com>, <bestnerd.com>, <fitnessnerd.com>, and <storynerd.com>).

At some time in 2024,[2] Respondent purchased the Disputed Domain Name at an auction after it lapsed because of a failed automatic renewal. Consistent with its regular practice for all domain names it is considering for purchase, Respondent screened the Disputed Domain Name against the WIPO Global Brand Database before purchase. Respondent submitted the results of a search of that database for "CNERD," which returned no registered marks.

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[1] Olean is a city based in southwestern New York state near the Pennsylvania border that had a population of 13,937 as of the 2020 census. *See* https://en.wikipedia.org/wiki/Olean,_New_York *visited* September 6, 2026.

[2] The exact date is not in the record, and the Registrar Verification did not disclose a registration date other than the original 1998 "Create Date."

The Disputed Domain Name resolves to a marketplace landing page offering it for sale. The asking price was initially USD 5,200, but the price has been reduced to USD 4,595. The Disputed Domain Name has not been used in connection with pay-per-click ("PPC") advertising or with any content referring to Complainant or its field of business. Respondent did not approach Complainant to propose a sale of the Disputed Domain Name.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, Complainant bases its claim of common law rights on its long and continuous use of the Mark as evidenced by its certificate of incorporation dated 2003 and Internet Archive screenshots dated 2001, 2003, 2004, 2006, 2007, 2011, and 2021. Complainant also relies of various communications with vendors, banks and customers addressed to "CNERD" and samples of emails to/from "[…]@cnerd.com".

B. Respondent

Respondent contends that Complainant has not satisfied any of the three elements required under the Policy. Notably, Respondent contends that Complainant has failed to establish common law rights in the Mark sufficient to satisfy paragraph 4(a)(i) of the Policy because Complainant did not submit any evidence of secondary meaning such as evidence of sales, advertising expenditures, or public recognition.

Respondent contends that it has rights or legitimate interests in the Disputed Domain Name as a domain name investor dealing in generic and dictionary-based strings, of which the Disputed Domain Name is 1 of 76 similar "nerd"-formative acquisitions in its portfolio. Respondent further contends that it did not register or use the Disputed Domain Name in bad faith because it screened the term "CNERD" against the WIPO Global Brand Database before it purchased the Disputed Domain Name.

Supplemental Filings

After Respondent argued in its Response that the Complaint did not include any evidence of secondary meaning, Complainant requested on July 31, 2026, leave to submit a Supplemental Filing "confined to matters the Complainant could not reasonably have anticipated when the Complaint was filed" including evidence and argument responding to "the Response's contention that the Complaint contains no evidence of the categories described in [WIPO Overview 3.1[3]] section 1.3, which Complainant now answers with its invoices, its books of account, and third-party recognition documents (Annexes 22 through 32)."

Respondent then filed on August 4, 2026, its own Supplemental Response to rebut the new evidence that Complainant submitted. On August 5, 2026, Complainant followed with a request to file a Second Supplemental Filing (entitled "Complainant's Response to Supplemental Response") confined "strictly to three matters first raised in Respondent's Supplemental Response of August 4, 2026. Complainant said it would not submit new evidence "except a single current bank statement."

The Panel exercises its discretion[4] to deny the request to include in the record Complainant's First Supplemental Filing offering new evidence in support of its claim of secondary meaning. The Panel makes this decision for three reasons.

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[3] WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1")

[4] Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. WIPO Overview 3.1, section 4.6. In all such cases, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some unforeseen or exceptional circumstance). Paragraphs 10 and 12 of the Rules give the Panel discretion to request or disallow unsolicited supplemental submissions.

First, the Panel is not persuaded that Complainant could not have anticipated the need for this evidence. WIPO Overview 3.1, section 1.3, which Complainant cited in its Complaint as authority for its right to rely on unregistered rights to satisfy Policy paragraph 4(a)(i), expressly calls for such evidence and should have alerted Complainant to the need for such evidence. Moreover, in the Panel's view, new evidence should rarely be submitted in Supplemental Filings, especially evidence required to establish a prima facia claim or defense.

Second, Complainant's request is excessive and set off a series requests to supplement. Complainant's First Supplemental Filing was eight single spaced pages and included ten new evidence annexes. Respondent followed with its own responsive supplemental filing (8 pages), whereupon Complainant filed a Second Supplement Filing (4 pages and another evidence annex).

Third, the Panel finds that the offered annexes are largely irrelevant to the secondary meaning issue. Nine of the ten new evidence annexes are either records of invoices or Complainant's internal accounting records, most of which do not show use of the Mark. These annexes are records of transactions with individual customers or vendors that would not be visible to the marketplace at large and would not support a finding of secondary meaning. These records may show that Complainant used the tradename "CNerd, Inc.", but they do not evidence, much less quantify, secondary meaning. Three annexes (a local news report, a Guiness World Record, and a design patent) relate to a novel camera that Complainant's CEO Michael Kintner invented, but none of these annexes use the Mark. Many of the annexes are photos of Microsoft certifications that do not display the Mark.

Because the Panel chooses not to consider Complainant's First Supplemental Filing, it will also not consider Respondent's response to it, as well as Complainant's Second Supplemental Filing, which was a response to Respondent's response.

Complainant's Response to Procedural Order

Although the Complaint cited 21 annexes which were described in a list at the end of the Complaint, Complainant failed to file nine of them with the Complaint. The Panel issued a Procedural Order inviting Complainant the "to submit the missing annexes… ." Instead of simply submitting the missing annexes, Complainant submitted (on August 23, 2026) an 8-page discussion of them, advocating inferences to be drawn, and correcting mistakes in its prior assertions about the missing annexes. Two corrections stand out. In one, Complainant admitted that it in fact did not possess a "transcript" of a conversation with a GoDaddy representative that was listed as an annex to the Complaint. To cure this, Complainant submitted a summary of its conversation with GoDaddy based on its notes and memory. In another correction, Complainant explained that "the Amended Complaint cited, at paragraph 30, four decisions. In preparing the bundle the Panel has requested, the Complainant obtained and read each of them. Two were cited wrongly, and the Complainant withdraws them."

In its Procedural Order, the Panel did not give Complainant leave to offer a substitute for evidence that, although previously described, did not exist or to offer new advocacy about the omitted annexes that could and should have been in the original Complaint.

On August 28, 2026, Respondent filed a supplemental response to Complainant's August 23, 2026, submissions of the previously missing annexes. Respondent argued that Complainant had corrected many mistakes only because Respondent exposed them. Respondent asserted that this pattern supports a finding of Reverse Domain Name Hijacking ("RDNH").

On August 28, 2026, Complainant filed a Third Supplemental Filing, asserting that it had corrected mistakes based on its own good faith and candor.

6. Discussion and Findings

A. Identical or Confusingly Similar

Although the evidence is exceedingly weak, Complainant has shown rights in respect of a trademark or service Mark for the purposes of Policy paragraph 4(a)(i), which is a low bar intended to confirm Complainant's standing. WIPO Overview 3.1, section 1.2.1.

Complainant alleges that it has used the Mark since 1998. As evidence of this use, Complainant submits Internet Archive screenshots of webpages associated with the Disputed Domain Name during the period that Complainant owned it. These screenshots appear to corroborate this claim, although, as noted in the discussion of bad faith, this evidence is weak because it shows only a few screenshots taken long ago. The Panel nonetheless deems these archival screenshots sufficient to corroborate Complainant's allegation of long-term use of the Mark, especially given that Respondent appears to concede that that Complainant has used "CNerd" for many years, although Respondent does not agree that the Mark has acquired secondary meaning.

Respondent correctly points out that Complainant has failed to submit with the Complaint evidence such as volume of sales, advertising or third party (media) recognition. This sort of evidence is typically considered when evaluating secondary meaning, and as noted above, WIPO Overview 3.1, section 1.3, emphasizes the need for such evidence to prove secondary meaning. Nonetheless, section 1.3 recognizes that the duration of use is a relevant factor, and long-term use has been accepted under United States law as evidence to support a finding of secondary meaning. See McCarthy on Trademarks, section 15:54 and Lanham Act § 2(f), 15 U.S.C. § 1052(f) (five years of substantially exclusive use gives rise to a presumption of secondary meaning). The Panel finds that the evidence submitted with the Complaint is just barely sufficient to satisfy Policy paragraph 4(a)(i).

The Panel emphasizes the weakness of Complainant's evidence, which will be discussed further with respect to the third element of the Policy. As noted above, the Panel, in making this assessment, will not consider secondary meaning evidence that Complainant did not submit with its Complaint.

The Panel further notes that to the extent that Complainant has acquired any common law rights, they would be limited to the geographic area where Complainant offers services, or its commercial reputation is known. This would include the Olean New York market area, although it may extend further, given Complainant's assertion that it has provided services to the LLB company, which is based in the state of Maine. There is no need under Policy paragraph 4(a)(i) to delineate the geographic limit of Complainant's rights, since it is sufficient if Complainant has rights anywhere, but these limitations are relevant when considering whether Respondent acted in bad faith when it registered the Disputed Domain Name.

The Panel further emphasizes that 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 Complainant's trademark and the Disputed Domain Name. WIPO Overview 3.1, section 1.7. In the Panel's view, Complainant's evidence is sufficient to confer standing, although, as discussed further below, it is not sufficient to support a finding of bad faith.

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

Unless it targets the trademark rights of others, a domain name investor has the right buy and resell domain names. The legitimacy of Respondent's acquisition of the Disputed Domain Name therefore depends on the bad faith analysis of the third element of the Policy. Accordingly, the discussion of the second element of the Policy is integrated with the bad faith analysis in the next section.

C. Registered and Used in Bad Faith

The evidence in the case file as presented does not indicate that Respondent's aim in registering the Disputed Domain Name was to profit from or exploit Complainant's trademark. Complainant has not proved, on the balance of probabilities, that Respondent registered the Disputed Domain Name in bad faith targeting of Complainant or its trademark rights.

Complainant has not proved that Respondent was probably aware of its trademark rights when it registered the Disputed Domain Name. Respondent argues that because Respondent is an investor who acquired the Disputed Domain Name with knowledge that it had lapsed after a prior owner failed to renew it, Respondent had a duty to investigate whether the prior owner of the lapsed domain name had trademark rights that correspond to the Disputed Domain Name. Respondent contends that it satisfied this duty by conducting a search for "CNERD" in WIPO's Global Brand Database, which did not reveal any relevant registered trademarks worldwide. Complainant concedes it has no registered rights but argues that Respondent had a duty to use online search engines for evidence of its unregistered common law rights, and that such a search would have revealed its rights.

Respondent's search of the WIPO Global Brand Database is evidence in Respondent's favor. This distinguishes *Supermac's (Holdings) Limited v. Domain Administrator, Domainmarket.com*, WIPO Case No. D2018-0540, one of the leading cases holding that investors who "drop catch" lapsed domain names have a duty to investigate the trademark rights of prior owners before purchasing the elapsed domain name. The *Supermac* panel criticized the respondent's failure to conduct any investigation of the prior owner's rights. It bears emphasis that if the respondent had cared to look, it was easy to find evidence of the complainant's trademark rights because Supermac was a large company (108 restaurants in Ireland and the UK serving 320,000 customers each week; annual revenue EUR 80 million) whose trademarks were registered in in the European Union and Ireland.

Respondents search is comparable to the search at issue in *Datacap Systems, Inc. v. Domain Admin, XYZ Invest LLC*, WIPO Case No. D2023-0858, where Respondent domain name investor purchased a lapsed domain name after conducting a search for matching trademarks in the WIPO Global Brand Database. The panel held that "it is conceivable that a more rigorous protocol could be followed … but the protocol laid out by Respondent does demonstrate some genuine effort to ensure that its acquisition of a potentially attractive domain name – while knowing that it was previously owned by another party – is not violative of the bad faith standards reflected in the UDRP."

Complainant argues that it is not enough to search for registered trademarks; that Respondent must also search for unregistered trademark rights. This is easier said than done because many variables may affect the existence (and extent) of unregistered trademark rights. As WIPO Overview 3.1, section 1.3 makes clear, secondary meaning is a prerequisite for unregistered rights. A domain name investor screening for unregistered rights would often encounter references to a term without access to facts that would affect the existence (or not) of secondary meaning.

The Panel has not found cases that clearly define the extent of a domain name investor's duty to screen for unregistered rights when screening for rights prior to purchasing a lapsed domain name. But assuming that Respondent had a duty to use available online search tools such as Google to search for evidence of common law rights, Complainant still has the burden to prove bad faith. Consequently, although Respondent cannot deny a duty to consider reasonably available evidence, Complainant has the burden to introduce evidence to show *what* Respondent would have discovered if it had conducted a reasonably diligent investigation. It is not enough to simply allege that a "a reasonable search would have shown evidence of my trademark rights". Complainant ought to make of record evidence of what Respondent would have found if it had conducted a reasonably diligent investigation. Moreover, the evidence offered by Complainant should be sufficient to put Respondent on notice of Complainant's trademark rights. Where the evidence of unregistered rights is inconclusive, it would be unfair to find bad faith registration.

The Panel is not persuaded that Complainant has satisfied this burden.

The Complaint alleges that a “reasonable online search for “CNerd” or “CNERD.COM” before registration would have revealed the Complainant’s historical use, including archived websites, business-directory records, and longstanding commercial records...”. But Complainant offers only two pieces of evidence to show what Respondent would have seen if it had conducted the alleged “reasonable online search” and neither is persuasive.

First, Complainant submitted with the Complaint an annex including that seven Internet Archive screenshots of webpages associated with its ownership of the Disputed Domain Name dated 2001, 2003, 2004, 2006, 2007, 2011, and 2021. Although the Panel has relied on this evidence to find that Complainant had standing to pursue this claim, these archival screenshots would not have been sufficient to put Respondent on notice of Complainant’s rights if Respondent had reviewed them before purchasing the Disputed Domain Name.

Except for the 2021 screenshot, all of the archived screenshots are more than 15 years old. The 2021 screenshot does not display any trademark use. This screenshot captures a <secureserver.net> webpage to which the Disputed Domain Name was redirected at that time. The captured page includes “CNerd” tucked away it an upper corner without any explanation. This diminutive and ambiguous use of “CNerd” does not reflect trademark usage, much less secondary meaning.

Of the remaining screenshots, only the 2003, 2004, and 2006 captures arguably use “CNerd” as a identifier of the source of services. The 2004 capture is representative: “Founded in 2003, CNerd, Inc. is a North Eastern United States consulting firm that provides Microsoft consulting services to small and large industrial businesses.” There is no “TM” symbol to signal a claim of common law trademark rights.

The other screenshots do not include a comparable statement. The 2007 and 2011 screenshots show an image of Complainant’s CEO Michael Kinter and describe his business experience noting (in plain text sentence format; same font) that he is owner of CNerd, Inc., without including a TM signal, and then moving on to describe his education and technical competence. There is nothing that reflects trademark use of “CNerd” on these pages. The focus is on Mr. Kinter, and the text does not even say that Mr. Kinter offers his technology services in connection with CNerd, Inc., but instead simply lists CNerd, Inc. as one of his several companies.

The Panel has held with respect to the first element of the Policy that these old Internet Archive screenshots corroborate Complainant’s long use of “CNerd,” but they would not have been sufficient, if Respondent had reviewed them before registering the Disputed Domain Name, to put Respondent on notice that in 2024 Complainant had trademark rights supported by the required acquired secondary meaning.

Complainant also relies on one of Respondent’s annexes – the result of a Google search for “CNERD” that returned as a result: “YouTube – CNERD…Welcome to LandWorks Services, the Home of a true Construction Nerd, Camera Nerd and Computer NERD. At CNERD, we explore how technology can simplify and …”

Pointing to this annex, Complainant argued that if Respondent had conducted an online search it “would have found a Microsoft Certified partner of twenty-five year’s standing, trading under that exact name, invoicing county governments, a tribal housing authority, and L.L. Bean.”

Respondent’s annex does not support Complainant’s contentions. The exhibit itself is ambiguous because it promotes “LandWorks Services” and, although it says “At CNERD, we explore …” it is not clear that CNERD is used as a trademark with respect to services. The annexed evidence itself does not show what one have found if the link had been followed. Even assuming it would show some use of CNERD, there is no reason to presume it would have shown trademark use or any evidence demonstrating secondary meaning or evidence of a significant reputation.

Neither this evidence nor any other in the record supports the contention that Respondent could have discovered by an online search that Complainant had invoiced “county governments, a tribal housing authority, and L.L. Bean”. Complainant did offer evidence that its customers and vendors sent a credit memo (Annex7-Global Surveillance System), proposals (Annex 8-John Deere) and banking statements (Annex 15-Olean Credit Union) to “CNERD”. But none of these examples reflect trademark use by

Complainant when offering services to others. Regardless, these examples of private communications would not have been visible to Respondent conducting an online search for evidence of unregistered trademark rights and, consequently, have no bearing on what Respondent could have known before registering the Disputed Domain Name.

The Panel finds that Complainant has not proved, based on the balance of probabilities, that an online search for unregistered trademark rights in "CNerd" would have revealed information sufficient to put Respondent on notice of any unregistered trademark rights that Complainant may have had in the Mark. Given that Respondent screened for registered rights by searching the WIPO Global Brand Name database and Complainant's failure to identify any evidence of unregistered rights that an online search would have revealed, the Panel finds that Respondent did not register the Disputed Domain Name in bad faith.

Even if Complainant's evidence were sufficient to put Respondent on notice of Complainant's common law rights (it was not), it does not automatically follow that Respondent was targeting Complainant's Mark. Respondent says that it was motivated to purchase the domain name because of it contains the descriptive term "nerd" and offers evidence that it has invested in many other domain names that include "nerd." Respondent offers evidence that it currently owns and offers to sell many domain name that include "nerd" as a component. This evidence persuades the Panel that it was Respondent's "nerd" investment strategy, and not any intent to target the Mark, that motivated Respondent's purchase of the Disputed Domain Name. Complainant's theory – that Respondent's true purpose was to exploit Complainant's trademark – is not credible, as it asks the Panel to believe that Respondent registered many other "nerd" domain names as a pretext to mask its targeting of Complainant's Mark.

Complainant argues that Respondent's intent to target the Mark may be inferred from the asking price that Respondent set for the Disputed Domain Name, which was initially USD 5,200 but was reduced to USD 4,595. Complainant alleges that "the only reasonable inference is that the Disputed Domain Name was acquired primarily for the purpose of selling it to the Complainant, the owner of the corresponding mark, or to a competitor, for valuable consideration in excess of out-of-pocket costs." The Panel is not persuaded. If a domain name is acquired without bad faith, an investor may ask any price, including, of course, a price in excess of out-of-pocket expenses. Although an "exorbitant" asking price may sometimes, in the context of all the evidence, contribute to a finding of bad faith targeting, (see, e.g., *All Star C.V., Converse, Inc. v. Narendra Ghimire*, WIPO Case No. DCO2024-0014), this is not such a case. Complainant has offered no objective evidence that the current asking price for the Disputed Domain Name reflects an effort to extort payment based on the value of Complainant's Mark. The Panel's own review[5] of the asking price that Respondent has set for thirty (32) of its other "nerd" domain names. The asking price ranges from USD 1,295 (<booksnerd.com>) to USD 16,995 (<nerdl.com>), with an average asking price of USD 5,042. Accordingly, the USD 4,595 asking price for the Disputed Domain Name is just below the average that Respondent has set for its several "nerd" domain names. This data does not indicate that Respondent is seeking to extract a premium to exploit the trademark value of Complainant's Mark.

The Panel finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. WIPO Overview 3.1, section 4.16. The Panel notes in this regard that Complainant previously owned and used the Disputed Domain Name for approximately 24 years and (despite the lapse being its responsibility) that longstanding use contributed to a not unreasonable belief that it had a legitimate grievance.

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[5] Based on prices posted on https://www.godaddy.com/domainsearch/find?isc=GDWELCOME&tmskey=nc_domain_offer&domainToCheck=cnerd.com&checkAvail=1 *visited* September 9, 2026.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Lawrence K. Nodine/
Lawrence K. Nodine
Sole Panelist
Date: September 9, 2026