

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. Michal Pleban
Case No. D2026-3357

1. The Parties

The Complainant is ABB Asea Brown Boveri Ltd., Switzerland, represented by Taylor Wessing Partnerschaftsgesellschaft mbB, Germany.

The Respondent is Michal Pleban, Germany.

2. The Domain Name and Registrar

The disputed domain name <abb-emea.com> is registered with Key-Systems GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 29, 2026. On July 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 31, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 4, 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 amended Complaint on August 5, 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 the Respondent of the Complaint, and the proceedings commenced on August 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 28, 2026.

The Center appointed Peter Kružliak as the sole panelist in this matter on September 4, 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 ABB Asea Brown Boveri Ltd. is part of ABB Group, a worldwide leading group of companies, operating in particular in the field of power and automation technology with over 100,000 employees in over 100 countries worldwide and billions of USD of annual revenues.

The Complainant is the owner of inter alia the following ABB trademark registrations:

- European Union trademark ABB (word), number 002629673, filed on March 25, 2002 and registered on December 21, 2006 for goods and services in class 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 25, 26, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;
- European Union trademark ABB (stylized letters in black and white), number 000039248, filed on May 14, 1996 and registered on November 13, 1998 for goods and services in class 1, 6, 7, 9, 11, 12, 16, 17, 35, 36, 37, 41, and 42; and
- German trademark ABB (stylized letters in black and white), registration number DE1189648, filed on June 16, 1988 and registered on February 1, 1994 for services in class 37, 41, and 42 (collectively referred to as the “ABB trademark”).

The Complainant's products and services are presented and advertised on the websites at the domain names <global.abb> and <abb.com>.

The Respondent is reportedly located in Germany. The disputed domain name was registered on June 10, 2026, and based on the available record redirects to the official United Kingdom (“UK”) website of the Complainant.

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 Respondent registered the disputed domain name, whereby the first letters of the disputed domain name “abb” are identical to the Complainant’s ABB trademarks and the addition “emea” is a common geographic abbreviation used in commerce to designate the extensive commercial area “Europe, Middle East and Africa”. The Respondent has registered and is using the disputed domain name that is highly similar to the Complainant’s well-known ABB trademark.

Furthermore, the Complainant claims that the Respondent registered the disputed domain name well after the Complainant began using its trademark and also well after the Complainant registered its trademark. The Complainant has not authorized the Respondent to use the disputed domain name, nor is the Respondent affiliated with the Complainant. The use of the disputed domain name to misrepresent that the Respondent is, or is officially connected with, the Complainant – including by redirecting to the Complainant’s official UK website – does not qualify as an offering of services in good faith and accordingly, a legitimate interest of the Respondent in the disputed domain name is ruled out in every respect. The Complainant further contends that by registering and using a domain name that begins

with the Complainant's well known ABB trademark and that includes a descriptive reference to the extensive commercial area "Europe, Middle East and Africa" ("EMEA"), and by redirecting them to the Complainant's official UK website, the Respondent also creates a false impression that the disputed domain name is owned and controlled by the Complainant.

And finally, the Complainant contends that the fact that the Respondent registered an Internet domain name that is highly similar to the well-known ABB-trademarks and that the disputed domain name is redirecting to an official website of the Complainant, specifically the Complainant's UK website, shows that the Respondent acted in bad faith. The disputed domain name was clearly registered with the intent of misleading Internet users into believing that the disputed domain name is owned and controlled by the Complainant, which is not the case. The disputed domain name redirection to the Complainant's website also demonstrates that the Respondent has detailed knowledge of the Complainant and its trademarks, which further supports the finding of bad faith.

B. Respondent

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

6. Discussion and Findings

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 the ABB trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the ABB trademark is reproduced within the disputed domain name and although the addition of another term, in this case the term "emea" referring to Europe, Middle East and Africa, 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.

The Top-Level Domain ("TLD") of the disputed domain name may be disregarded in determining identity and confusing similarity. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the ABB 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.

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.

Firstly, the Panel does not consider the present use of the disputed domain name redirecting to the Complainant's website without the Complainant's consent (not rebutted by the Respondent) as bona fide offering of goods and services by the Respondent.

Furthermore, the available record does not show any trademark registrations or earlier relevant rights of the Respondent corresponding to the disputed domain name, nor the fact that the Respondent is commonly known by the disputed domain name or that the Respondent was granted any authorization to use the ABB trademark by the Complainant.

And finally, the Panel points out to the composition of the disputed domain name, where the addition of "emea" in the disputed domain name indicates the activities associated with the ABB trademark for the territory of Europe, Middle East and Africa, which suggests sponsorship or endorsement by the trademark owner and thus prevents any finding of legitimate noncommercial or fair use. [WIPO Overview 3.1](#), section 2.5.1.

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 first notes that the wide knowledge of the Complainant and its wide presence, as well as the fact that the disputed domain name redirects to the official website of the Complainant, make it not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's ABB trademark, which supports a finding of bad faith registration.

Furthermore, the redirection of the disputed domain name to the Complainant's website, supports a finding that the Respondent has registered the disputed domain name to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. [WIPO Overview 3.1](#), section 3.1.4. Thus, the disputed domain name is used in bad faith.

The Panel therefore finds that the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy and 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 <abb-emea.com> be transferred to the Complainant.

/Peter Kružliak/

Peter Kružliak

Sole Panelist

Date: September 18, 2026