ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Malvern Panalytical Limited v. Host Master, Njalla Okta LLC
Case No. D2026-3451

1. The Parties

The Complainant is Malvern Panalytical Limited, United Kingdom, represented by CSC Digital Brand Services Group AB, Sweden.

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

2. The Domain Name and Registrar

The disputed domain name <malvernparnalytical.net> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 4, 2026. On August 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same date, 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 6, 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 11, 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 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 3, 2026.

The Center appointed Eva Fiammenghi 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 is a company incorporated under the laws of the United Kingdom and headquartered in Malvern, Worcestershire, United Kingdom. The Complainant is a subsidiary of Spectris Limited, a global provider of precision instrumentation and controls. In 2017, Malvern Instruments and PANalytical merged to form the Complainant. The Complainant develops and supplies advanced analytical instruments and technologies used to measure, analyze, and characterize materials in a wide range of scientific and industrial sectors, including life sciences, pharmaceuticals, advanced manufacturing, food sciences, and nanomaterials. The Complainant employs more than 2,500 people across twenty countries and serves customers worldwide.

The Complainant owns numerous trademark registrations for the mark MALVERN PANALYTICAL in jurisdictions around the world, including the following:

- International Trademark MALVERN PANALYTICAL, Registration No. 1449502, registered on October 29, 2018, in classes 1, 7, 8, 9, 11, 35, 37, 41, and 42;

- United Kingdom Trademark MALVERN PANALYTICAL, Registration No. UK00917025354, registered on November 24, 2017, in class 42; and

- European Union Trademark MALVERN PANALYTICAL, Registration No. 017025354, registered on November 24, 2017, in class 42.

The Complainant has used the MALVERN PANALYTICAL trademark since at least 2017 in connection with its scientific and analytical instruments and related services. The Complainant also maintains an online presence through numerous domain names incorporating its trademarks, including <malvernpanalytical.com>, which was registered on December 14, 2016 and hosts the Complainant's principal website. According to evidence submitted by the Complainant, the website received approximately 230,000 visits during June 2026.

The disputed domain name <malvernparnalytical.net> was registered on March 24, 2026. At the time of filing of the Complaint, the disputed domain name resolved to an inactive webpage displaying an error message. The record contains no evidence of any active use of the disputed domain name by the Respondent.

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 is confusingly similar to its MALVERN PANALYTICAL trademark. The Complainant emphasizes that the disputed domain name reproduces its trademark in its entirety, differing only by the insertion of the letter "r" in the term "panalytical". According to the Complainant, this constitutes a deliberate misspelling designed to take advantage of typographical errors made by Internet users seeking the Complainant's website and is therefore a clear example of typosquatting.

The Complainant further asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states that it has never authorized, licensed, or otherwise permitted the Respondent to use its MALVERN PANALYTICAL trademark or to register any domain name incorporating that trademark. The Complainant also submits that there is no evidence that the Respondent is commonly known by the disputed domain name and that the disputed domain name resolves only to an inactive webpage, which does not constitute a bona fide offering of goods or services or a legitimate noncommercial use.

The Complainant argues that the disputed domain name was registered and is being used in bad faith. The Complainant submits that its MALVERN PANALYTICAL trademark was well established long before the registration of the disputed domain name and that the Respondent could not reasonably have been unaware of the Complainant's rights. The Complainant further contends that the disputed domain name constitutes a typosquatted version of both its trademark and its primary domain name, <malvernpanalytical.com>. According to the Complainant, the Respondent's passive holding of the disputed domain name, failure to reply to repeated cease-and-desist letters, and involvement in previous UDRP proceedings support a finding of bad faith registration and use.

Based on these contentions, the Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed a complainant must prove that:

(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 was registered and is being used in bad faith.

These elements are discussed in turn below. In considering these elements, paragraph 15(a) of the Rules provides that the Panel shall decide the Complaint on the basis of statements and documents submitted and in accordance with the Policy, the Rules and any other rules or principles of law that the Panel deems applicable.

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 Panel finds that the Complainant's MALVERN PANALYTICAL trademark is clearly recognizable within the disputed domain name. The disputed domain name differs from the Complainant's trademark only by the insertion of the letter "r" in the second element of the mark, resulting in "parnalytical". Such minor alteration constitutes an obvious misspelling and a classic example of typosquatting. WIPO Overview 3.1, section 1.9.

Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. The applicable generic Top-Level Domain ".net" is viewed as a standard registration requirement and is disregarded under the first element assessment.

The Panel 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 Complainant has not authorized the Respondent to use its MALVERN PANALYTICAL trademark or to register a domain name incorporating that trademark. There is no evidence that the Respondent has been commonly known by the disputed domain name.

The disputed domain name consisting of a typographical misspelling of the Complainant's trademark resolves to an inactive webpage displaying a service unavailable message.

There is no evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is there evidence of any legitimate noncommercial or fair use.

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

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances which, 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 finds that the disputed domain name was registered and is being used in bad faith.

The Complainant's trademark rights substantially predate the registration of the disputed domain name. The disputed domain name was registered on March 24, 2026, many years after the Complainant had acquired trademark rights in the MALVERN PANALYTICAL mark and commenced use of that mark in commerce.

The Panel finds that the disputed domain name constitutes an intentional misspelling of the Complainant's trademark and is a clear case of typosquatting. The disputed domain name reproduces the Complainant's trademark almost in its entirety, differing only by the insertion of a single letter. In the circumstances of this case, the Panel finds it implausible that the Respondent selected the disputed domain name without knowledge of the Complainant and its trademark rights.

The disputed domain name currently resolves to an inactive webpage. Panels have found that the non-use of a domain name does not by itself prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3. To the contrary, in looking at the totality of circumstances in each case, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. Having reviewed the available record, the Panel notes the distinctive nature of the Complainant's trademark, the typosquatted composition of the disputed domain name, the absence of any evidence of actual or contemplated good-faith use by the Respondent, and the Respondent's failure to participate in the proceedings. In these circumstances, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel further notes that the Respondent failed to reply to several cease-and-desist letters sent by the Complainant prior to the commencement of these proceedings. While not conclusive by itself, such failure reinforces the inference of bad faith in the circumstances of this case.

Moreover, the record indicates that the Respondent has previously been involved in a number of UDRP proceedings concerning domain names incorporating third-party trademarks (see e.g. *Vertex Pharmaceuticals v. Host Master, Njalla Okta LLC*, WIPO Case No. D2026-2805). Such conduct further supports a finding of bad faith under paragraph 4(b)(ii) of the Policy.

The Panel therefore finds that the Respondent registered and is using the disputed domain name in bad faith.

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 <malvernparnalytical.net> be transferred to the Complainant.

/Eva Fiammenghi/
Eva Fiammenghi
Sole Panelist
Date: September 18, 2026