

ADMINISTRATIVE PANEL DECISION

Kingspan Holdings (IRL) Limited v. Malcos Anderson, Malcos Anderson
Case No. D2026-3786

1. The Parties

The Complainant is Kingspan Holdings (IRL) Limited, Ireland, represented by Tomkins & Co., Ireland.

The Respondent is Malcos Anderson, Malcos Anderson, United States of America (or “United States”).

2. The Domain Name and Registrar

The disputed domain name <kingspan.com> is registered with Mat Bao Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 25, 2026. On August 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 27, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 August 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 18, 2026.

The Center appointed Petra Pecar as the sole panelist in this matter on September 22, 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 an Irish company, part of the Kingspan Group, a building materials manufacturer founded in 1966. The Kingspan Group operates in more than 80 countries, with more than 210 factories and over 22,000 employees, and is active in the fields of insulated panels, insulation, light and air, water and energy, data and flooring, and roofing and waterproofing.

The Complainant is the owner of numerous KINGSPAN mark registrations, including the following:

- United States Trademark Registration No. 6760583 for the word mark KINGSPAN, registered on June 14, 2022, for goods in International Class 20; and
- United States Trademark Registration No. 3853702 for the figurative mark  , registered on September 28, 2010, for goods and services in International Classes 6, 17, 19, and 37.

The Complainant operates its business on its official website at the domain name <kingspan.com>.

The disputed domain name was registered on July 29, 2026, and at the time of filing of the Complaint, it resolved to an inactive page.

The Respondent is an individual located in the United States of America.

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 KINGSPAN mark, since it reproduces the KINGSPAN mark in its entirety with the addition of the letter "r" before the final letter "n". The Complainant argues that this minor change is a typical case of typosquatting, which does not prevent the KINGSPAN mark from being recognizable within the disputed domain name.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not commonly known by the disputed domain name, is not affiliated with the Complainant, and has not been authorized or licensed to use the KINGSPAN mark. The disputed domain name resolved to inactive website, and there is no evidence of use, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. According to the Complainant, the Respondent has configured Mail Exchange ("MX") records, which enable the disputed domain name to be used for email communications that could be mistaken for those of the Complainant, and which presents a risk of phishing, fraudulent payment requests, or other forms of impersonation.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The KINGSPAN mark is distinctive and well-known, and the Respondent must have known of the Complainant and its KINGSPAN mark when registering the disputed domain name. The Complainant contends that the passive holding of the disputed domain name does not prevent a finding of bad faith, given the distinctiveness and reputation of the KINGSPAN mark, the typosquatting nature of the disputed domain name, the configuration of MX records, and the absence of good-faith use.

B. Respondent

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

6. Discussion and Findings

Although the Respondent did not submit a response to the Complainant's contentions, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant. "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", as indicated in paragraph 15(a) of the Rules.

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

- (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 has been registered and is being used by the Respondent 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 KINGSPAN 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 name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The disputed domain name consists of a misspelling of the KINGSPAN mark, with the addition of the letter "r" before the last letter "n", which does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), section 1.9.

The generic Top-Level Domain ".com" is a standard registration requirement and is disregarded under the first element. [WIPO Overview 3.1](#), section 1.11.1.

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.

The Respondent is not affiliated with the Complainant, has not been authorized to use the KINGSPAN mark, and is not commonly known by the disputed domain name. The disputed domain name is inactive, and the record contains no evidence of any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, or of any legitimate noncommercial or fair use.

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 KINGSPAN mark is distinctive, and the Complainant's KINGSPAN mark predates the registration of the disputed domain name by more than 15 years, respectively. The disputed domain name consists of an obvious misspelling of the KINGSPAN mark, and the Respondent has provided no explanation for its choice of the disputed domain name. Panels have consistently found that the mere registration of a domain name that is confusingly similar to a distinctive mark, particularly a domain name comprising a typo of such mark, by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), section 3.1.4. The Panel finds that the Respondent registered the disputed domain name with the Complainant and its KINGSPAN mark in mind and with the intention of taking advantage of a typographical error.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's mark, the composition of the disputed domain name as a misspelling of that mark, the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good faith use, and the implausibility of any good faith use of the disputed domain name. The Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. [WIPO Overview 3.1](#), section 3.3.

The configuration of MX records for the disputed domain name further supports the finding of bad faith. Although, the record contains no evidence that the disputed domain name has actually been used for fraudulent email communications, the configuration of MX records enable the use of the disputed domain name for email communications which could be mistaken for those of the Complainant. Considered together with the typosquatting nature of the disputed domain name and the absence of any plausible good-faith explanation for its registration, this circumstance reinforces the Panel's finding of 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 <kingsparn.com> be transferred to the Complainant.

/Petra Pecar/

Petra Pecar

Sole Panelist

Date: October 6, 2026