

ADMINISTRATIVE PANEL DECISION

Kia America, Inc. v. Tarsono Talingan
Case No. D2026-3854

1. The Parties

The Complainant is Kia America, Inc., United States of America (“US”), represented by Buchalter LLP, US.

The Respondent is Tarsono Talingan, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <kiafinance.org> 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 27, 2026. On August 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 28, 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 September 1, 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 September 4, 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 September 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 1, 2026.

The Center appointed Rebecca Slater as the sole panelist in this matter on October 7, 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 corporation formed under the laws of California, US. It is the exclusive US distributor of KIA-branded vehicles. It sells gasoline, hybrid, plug-in hybrid, and electric vehicles through a network of nearly 800 dealerships in the US. In 2025, the Complainant sold over 850,000 KIA-branded vehicles in the US. KIA-branded vehicles are sold in more than 170 countries. The Complainant also provides financing for automobiles.

The Complainant is the licensee of numerous KIA trade marks and trade marks incorporating KIA, including:

- US Trade Mark Registration No. 1,723,608 for KIA word mark (registered on October 13, 1992);
- US Trade Mark Registration No. 3,867,593 for KIA logo mark (registered on October 26, 2010); and
- US Trade Mark Registration No. 6,770,139 for KIA FINANCE logo mark (registered on June 28, 2022).

The Complainant is also the owner of several trade marks incorporating KIA, including:

- US Trade Mark Registration No. 6,980,563 for KIA ACCESS word mark (registered on February 14, 2023);
- US Trade Mark Registration No. 6,609,133 for KIA@HOME word mark (registered on January 4, 2022); and
- US Trade Mark Registration No. 3,957,815 for KIA MOTORS FINANCE (registered on May 10, 2011).

The trade marks listed above will be collectively referred to throughout this decision as the “KIA marks”.

The Complainant operates its main consumer-facing website at the <kia.com> domain name (registered on December 11, 1996). It also operates a website at the <kiafinance.com> domain name (registered on March 26, 2008), which provides information on buying, leasing, special offers, credit education, and functionality to make payments.

The Respondent is an individual apparently located in Indonesia. The Respondent did not submit a response, and consequently little information is known about the Respondent.

The disputed domain name was registered on June 27, 2026. At the time of filing the Complaint and this Decision the disputed domain name resolves to a parked page displaying an error message.

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:

- As both owner of certain KIA marks and US licensee of other KIA marks, the Complainant has rights in such marks for the purposes of the Policy. The disputed domain name contains the KIA FINANCE mark in its entirety.

- The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant or its licensor, Kia Corporation. Neither the Complainant nor Kia Corporation has licensed or otherwise permitted the Respondent to use the KIA marks or any domain name incorporating them. The Respondent is not commonly known by the disputed domain name. The disputed domain name resolves to a parked page displaying an error message, which is not a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Respondent acquired the disputed domain name because it is likely to attract Internet users looking for the Complainant and its financing services.
- The disputed domain name was registered and is being used in bad faith. Given how long the KIA marks and the Complainant's domain names had been in use, the Respondent registered the disputed domain name with actual knowledge of the Complainant's rights. The Respondent's passive holding of the disputed domain name, a variant of the KIA marks and the Complainant's domain name, amounts to 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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.2.1 and 1.4.

The entirety of the KIA and KIA FINANCE marks (which are licensed to the Complainant) are reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the KIA FINANCE mark and confusingly similar to the KIA marks 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.

The Panel notes that the composition of the disputed domain name carries a high risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1. Neither the Complainant nor Kia Corporation has authorized the Respondent to use the KIA marks and there is no evidence that the Respondent is commonly known by the disputed domain name.

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 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.

The Panel finds it highly unlikely that the disputed domain name was registered without knowledge of the Complainant and the KIA marks, given the reputation of both the Complainant and the KIA marks. The Respondent's objective in registering and using the disputed domain name appears to be to attract Internet users by taking unfair advantage of the well-known KIA marks. This amounts to "opportunistic bad faith" in violation of the Policy.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the KIA marks, the composition of the disputed domain name, its close resemblance with the Complainant's own domain name <kiafinance.com> and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and 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.

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 <kiafinance.org> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: October 21, 2026