

ADMINISTRATIVE PANEL DECISION

ABB Asea Brown Boveri Ltd. v. Sophik, Sophik
Case No. D2026-3859

1. The Parties

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

The Respondent is Sophik, Sophik, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <abbmall.org> is registered with Dominet (HK) Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 28, 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 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 31, 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 September 3, 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 September 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 28, 2026.

The Center appointed Erica Aoki as the sole panelist in this matter on September 30, 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 a Swiss company and part of the ABB Group, a global group of companies operating, among other areas, in the fields of power and automation technology. The ABB Group has more than 100,000 employees in over 100 countries worldwide.

The Complainant owns numerous trademark registrations for ABB including European Union Trademark Registration No. 002628964 for the figurative trademark ABB, registered on November 21, 2003, in International Classes 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.

The Complainant states that it owns approximately 3,000 ABB trademark registrations worldwide and that the ABB trademark is protected both as a word and figurative trademark.

The disputed domain name <abmall.org> was registered on August 10, 2026. The Registrar confirmed the Respondent as Sophik, Sophik.

The disputed domain name resolves to a website prominently displaying the Complainant's ABB figurative trademark and the name "ABB Mall". The website provides users with registration and login functions using an email address or telephone number and displays the expressions "Save money / Save time". The website also contains a chatbot function which redirects Internet users to a Telegram account displaying the name "ABB MALL" together with the ABB logo.

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.

The Complainant contends that the disputed domain name is confusingly similar to its ABB trademark. The disputed domain name incorporates the ABB trademark in its entirety with the addition of the term "mall", which is a generic or descriptive term referring to a shopping center or online marketplace. According to the Complainant, the addition of this term does not prevent the finding of confusing similarity.

The Complainant further contends that the ABB trademark is well known worldwide and that it owns approximately 3,000 ABB trademark registrations throughout the world.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent is not affiliated with the Complainant and has not been authorized to use the ABB trademark or the disputed domain name.

The Complainant submits that the Respondent's use of the disputed domain name to impersonate the Complainant cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the Respondent deliberately reproduces the Complainant's ABB trademark and presents the website as "ABB Mall", while inviting Internet users to register and log in using an email address or telephone number.

The Complainant further points to the redirection of users to a Telegram account displaying the name “ABB Mall” and the ABB logo.

On this basis, the Complainant alleges that the website is fraudulent and intended to deceive Internet users into believing that they are dealing with the Complainant.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

The Complainant is required to establish each of the three elements under paragraph 4(a) of the Policy, namely:

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

The disputed domain name incorporates the Complainant’s ABB trademark in its entirety, followed by the term “mall”. The ABB trademark remains clearly recognizable within the disputed domain name.

Accordingly, the addition of the term “mall” does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s trademark. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

The generic Top-Level Domain (“gTLD”) “.org” is viewed as a standard registration requirement and is therefore disregarded under the first element confusing similarity test. [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 that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use its ABB trademark or to register a domain name incorporating the Complainant's trademark.

There is no evidence in the record that the Respondent is commonly known by the disputed domain name. The disputed domain name incorporates the Complainant's ABB trademark in its entirety together with the term "mall". The Panel finds that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

Moreover, the disputed domain name resolves to a website which prominently reproduces the Complainant's ABB figurative trademark and presents itself as "ABB Mall". The website provides registration and login functions and redirects users through its chatbot function to a Telegram account also displaying the "ABB MALL" name and the Complainant's ABB logo. Such use falsely suggests an affiliation with or endorsement by the Complainant and cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use of 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 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.

The Complainant's rights in the ABB trademark predate the registration of the disputed domain name. In view of the reputation of the ABB trademark, the incorporation of the ABB trademark in its entirety in the disputed domain name, and particularly the Respondent's reproduction of the Complainant's ABB figurative trademark on the website associated with the disputed domain name, the Panel finds that the Respondent was aware of the Complainant and deliberately targeted its ABB trademark when registering the disputed domain name.

The Panel further finds that the Respondent has used the disputed domain name to impersonate the Complainant.

The website prominently reproduces the Complainant's ABB figurative trademark, identifies itself as "ABB Mall", and invites users to register and log in using an email address or telephone number.

Furthermore, the chatbot function redirects users to a Telegram account also displaying the name "ABB MALL" together with the Complainant's ABB logo. These circumstances create a false impression that the website is operated, authorized, or endorsed by the Complainant.

The Panel finds that, by using the disputed domain name in this manner, the Respondent has intentionally attempted to attract Internet users to its website by creating a likelihood of confusion with the Complainant's ABB trademark as to the source, sponsorship, affiliation, or endorsement of the website. Such conduct constitutes evidence of bad faith registration and use under paragraph 4(b)(iv) of the Policy.

Furthermore, panels have held that the use of a domain name for passing off or other fraudulent activity constitutes evidence of bad faith. [WIPO Overview 3.1](#), section 3.4.

The Respondent has not submitted a Response or provided any explanation for its registration and use of the disputed domain name.

The Panel finds the third element of the Policy has been established.

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 <abbmall.org> be transferred to the Complainant.

/Erica Aoki/

Erica Aoki

Sole Panelist

Date: October 8, 2026