ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Konecranes Global Corporation v. Brandi Tucker
Case No. D2026-4305

1. The Parties

The Complainant is Konecranes Global Corporation, Finland, represented by Roschier Brands, Attorneys Ltd., Finland.

The Respondent is Brandi Tucker, United States of America.

2. The Domain Name and Registrar

The disputed domain name <konecarnes.com> (the "Disputed Domain Name") is registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 24, 2026. On September 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 24, 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 ("DATA REDACTED") and contact information in the Complaint. The Center sent an email communication to the Complainant on September 25, 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 28, 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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 21, 2026.

The Center appointed Nicholas Weston as the sole panelist in this matter on October 28, 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 multinational company incorporated in Finland that operates a business providing industrial cranes and components, services and software, booking net sales in 2025 of nearly EUR 4.2 billion. It holds a portfolio of registrations for the trademark KONECRANES, and variations of it, in numerous jurisdictions. Examples include European Union Trade Mark registration Number 005100681 for the word mark KONECRANES in classes 7, 9, 12 and 37 registered on September 4, 2007; European Union Trade Mark registration Number 005310966 for the figurative mark KONECRANES in classes 7, 9, 12 and 37 registered on November 5, 2007; and International Trade Mark registration Number 1105506 for the word mark KONECRANES registered on September 2, 2011 which designates 12 countries including the United States of America ("United States") where it covers classes 7, 9, 12, 35, 37, 41 and 42.

The Complainant owns the domain name <konecranes.com> which resolves to its main website.

The Disputed Domain Name <konecarnes.com> was registered on August 4, 2026.

The Disputed Domain Name resolves to the Complainant's main website at <konecranes.com>. The Complainant has provided evidence that the Disputed Domain Name was used in furtherance of a phishing scam.

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 cites its trademark registrations for the mark KONECRANES and variations of it, in numerous jurisdictions, as prima facie evidence of ownership.

The Complainant contends that its rights in the mark KONECRANES predate the Respondent's registration of the Disputed Domain Name. It submits that the Disputed Domain Name is confusingly similar to its trademark, because it is comprised of the KONECRANES trademark with the letters "r" and "a" inverted under the generic Top-Level Domain ("gTLD") ".com", and that these variations are not sufficient to avoid a finding of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because "[t]he Complainant has not licensed its KONECRANES trademarks or otherwise permitted the Respondent to register the domain konecarnes.com". There is no relationship between the Complainant and the Respondent…[and]…"[t]he domain name is inactive and re-directs to the Complainant's website konecranes.com". This, the Complainant, contends is not legitimate, non-commercial or fair use of the Disputed Domain Name.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name was, and currently is, in bad faith, contrary to the Policy and the Rules having regard to the prior registration and "well-known" nature of the Complainant's trademark. On the issue of registration, the Complainant contends that "[t] the domain name is clearly a typosquatted version of the Complainant's trademarks".

On the issue of use the Complainant contends that "[a]n e-mail was sent on September 1st to a client of the Konecranes group of companies. The sender of the e-mail identified as [a member of the senior leadership of] Konecarnes"… After the said client had inquired for more information, another e-mail was sent on the same date from an e-mail address of the domain name… The signature of both e-mails were in the name of [a member of the senior leadership] of the Konecranes group, except that the company was informed to be "Konecarnes" instead of "Konecranes". The e-mail also included the KONECRANES logo trademark. The Complainant further contends that "the domain name is redirecting to the Complainant's website" and that the "passive holding doctrine" otherwise applies. It contends that these circumstances amount to registration and use of the Disputed Domain Name in bad faith.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

(i) that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and

(iii) that 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 a trademark or service mark for the purposes of the Policy. The requirements of the first element for the purposes of the Policy may be satisfied by a trademark registered in any jurisdiction. WIPO Overview 3.1, section 1.2.1. The Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark KONECRANES.

Turning to whether the Disputed Domain Name is identical or confusingly similar to the KONECRANES trademark, the Panel observes that the Disputed Domain Name <konecarnes.com> is comprised of: (a) the Complainant's trademark with the letters "r" and "a" inverted; and (b) followed by the gTLD ".com".

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11. The relevant comparison to be made is with the Second-Level portion of the Disputed Domain Name, specifically: "konecarnes".

The Panel finds that the Complainant's mark is recognizable within the Disputed Domain Name. A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.9.

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 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 Disputed 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.

The Panel finds that there is no indication that the Respondent was commonly known by the term "konecarnes" prior to registration of the Disputed Domain Name. The Complainant has not licensed, permitted, or authorized the Respondent to use the trademark KONECRANES. The Panel also notes that the composition of the Disputed Domain Name carries a risk of implied affiliation (see WIPO Overview 3.1, section 2.5.1).

The Panel notes the evidence that the Disputed Domain Name was used to send a "phishing attempt e-mail", evidence that the Disputed Domain Name resolved to the Complainant's own website and finds that this does not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use. Panels have held that the use of a domain name for illegitimate activity, here, claimed phishing and identity theft, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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 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.

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.

In the present case, the Panel finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Name in bad faith.

On the issue of registration, taking into account the composition of the Disputed Domain Name and the well-known nature of the Complainant's trademark, the Panel is satisfied that the Respondent knew of and targeted the Complainant's trademark KONECRANES when it registered the Disputed Domain Name.

The Panel finds that there is no reason for the Respondent to have registered the Disputed Domain Name other than to trade off the reputation and goodwill of the Complainant's widely-known trademark. WIPO Overview 3.1, section 3.1.4.

Further, a gap of several years between registration of a complainant's trademark and respondent's registration of a disputed domain name (containing a recognizable version of the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name nearly 20 years after the Complainant established registered trademark rights in the KONECRANES mark. The Respondent has not come forward to rebut the Complainant's allegations or offer any alternative explanation.

On the issue of use, the Complainant's evidence is that the Disputed Domain Name resolved to the Complainant's own website. Panels have found that a respondent redirecting a domain name to the complainant's own website can establish bad faith insofar as the respondent retains control over the redirection thus creating a real or implied ongoing threat to the complainant. WIPO Overview 3.1, section 3.1.4.

The Complainant's evidence is also that the Disputed Domain Name has been used to send emails to a third party customer of the Complainant that impersonate a member of the senior leadership group of the Complainant with the aim to obtain sensitive commercial information. Panels have held that the use of a domain name for illegitimate activity here, claimed phishing, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitute 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 <konecarnes.com> be transferred to the Complainant.

/Nicholas Weston/
Nicholas Weston
Sole Panelist
Date: November 4, 2026