

ADMINISTRATIVE PANEL DECISION

Certainty Holding GmbH v. KVK kvk, spectrity
Case No. DAI2026-0069

1. The Parties

The Complainant is Certainty Holding GmbH, Austria, represented by FMO law firm, Austria.

The Respondent is KVK kvk, spectrity, India.

2. The Domain Name and Registrar

The disputed domain name <certainty.ai> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 7, 2026. On July 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 8, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (The proprietor of certainty.ai) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 24, 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 July 24, 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 July 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 16, 2026. The Respondent sent an email communication to the Center on August 2, 2026, requesting an extension of the due date for Response in accordance with paragraph 5(b) of the Rules, which the Center granted on August 3, 2026, setting the due date for Response as August 20, 2026. The Respondent did not submit any substantive response. On August 24, 2026, the Center informed the Parties that it would proceed to panel appointment.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on August 27, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a service provider for services related to cybersecurity and data processing provided to business clients throughout Europe under the CERTAINITY trademark and its domain name <certainty.com>. The Complainant owns numerous trademark registrations for CERTAINITY, such as European Union trademark registration No. 018745585 (registered on January 13, 2023).

The Domain Name was registered on October 11, 2025. The Complainant documents that the Domain Name has directed to a website titled “The AI Gateway Europe Can Trust” that promoted a coming launch of the Respondent’s products and services which seemed to be related to artificial intelligence (“AI”) regulatory compliance verification. Internet users were invited to leave their e-mail address at the website. At the time of the Decision, the Domain Name resolved to an error page.

5. Parties’ Contentions

A. Complainant

The Complainant provides evidence of trademark registration and argues that the Domain Name is identical to the Complainant’s trademark as the Domain Name consists of the Complainant’s trademark in the entirety. The Top-Level Domain (“TLD”) “.ai” does not affect the assessment of identity or confusing similarity.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant has not authorized any use or licensing of its trademarks by the Respondent, nor has it permitted the registration of any corresponding domain names by the Respondent. The Respondent has no legitimate interests in respect of the Domain Name. Even if the Respondent was selling the Complainant’s goods and services, such use would not be a bona fide offering inter alia because the Respondent does not disclose that it has no relationship with the Complainant.

The Complainant argues that at the time of registration, the Respondent was or should have been aware of the Complainant and its trademark rights. The Respondent actively promoted a coming launch of its products and services, which are identical and/or similar to the Complainant’s goods and services. This amounts to bad faith registration and use under the Policy.

B. Respondent

The Respondent did not substantively reply to the Complainant’s contentions. On August 2, 2026, the Respondent requested an extension of the due date for Response and noted that it is in touch with the Complainant for the purposes of exploring settlement. No further communication was received from the Respondent.

6. Discussion and Findings

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant’s trademark and the Domain Name. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has established that it has rights in CERTAINITY. The Domain Name incorporates the Complainant's trademark.

For the purpose of assessing the identity or confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the country-code Top-Level Domain ("ccTLD"). See [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the Domain Name is identical to the trademark, and 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.

While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.1](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established that the Respondent lacks rights or legitimate interests in the Domain Name. The Respondent has not rebutted the Complainant's showing and has not come forward with any evidence demonstrating rights or legitimate interests in the Domain Name. The Respondent is not affiliated with or related to the Complainant. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services.

Based on the available record, 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 Panel notes that the Respondent used the Domain Name identical to the Complainant's trademark to offer services substantially overlapping with those offered by the Complainant through a nearly identical domain name <certainty.com>. The composition and use of the Domain Name suggest that the Respondent was more likely than not aware of the Complainant and its prior rights when the Respondent registered the Domain Name. With no other explanation offered by the Respondent, it appears that the Respondent has registered and used the Domain Name to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark. The current passive holding of the Domain Name does not prevent a finding of bad faith in the circumstances of this case.

For the reasons set out above, the Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) 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 the Domain Name <certainty.ai> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: September 3, 2026