

Decision for dispute CAC-UDRP-105282

Case number CAC-UDRP-105282

Time of filing 2023-03-21 12:56:58

Domain names klarna-business.com

Case administrator

Name Olga Dvořáková (Case admin)

Complainant

Organization Klarna Bank AB

Complainant representative

Organization SILKA AB

Respondent

Name Jon Doe

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complaint relies on:

International Trademark no. 1217315 for the mark KLARNA registered on 4 March 2014;

International Trademark no. 1530491 for a logo consisting primarily of the word "Klarna" registered on 30 January 2020;

International Trademark no. 1066079 for the mark Klarna registered on 21 December 2010;

EU Trademark no. 009199803 for the mark Klarna registered on 6 December 2010.

FACTUAL BACKGROUND

The Complainant operates a banking and payments business founded in Stockholm in 2005. It now operates in 45 countries with more than 5000 employees serving in excess of 400,000 merchants and 147 million consumers. It handles about 2 million transactions every day.

The disputed domain name was registered on 18 November 2022 and locates a web page on which it is offered for sale at £2000.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Panel finds that the Complainant has registered rights in the mark KLARNA. The Panel is also satisfied that the disputed domain name is confusingly similar to this mark, from which it differs only in the addition of a hyphen and the generic word "business" and the generic top level domain suffix. These additions do not avoid confusion.

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights within the meaning of paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

The offer of the disputed domain name which is confusingly similar to famous trademark for sale is not a bona fide offering of goods or services, nor a legitimate non-commercial or fair use of the disputed domain name. The Panel is also satisfied that the Respondent is not licensed by the Complainant or commonly known by the disputed domain name or any corresponding name.

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

BAD FAITH

The disputed domain name is being offered for sale to any interest person, including the Complainant and competitors of the Complainant, for £2000. The Panel infers that the Respondent registered or acquired it primarily for this purpose and that the price exceeds the Respondent's out-of-pocket costs relating to it. Accordingly, the Panel finds that the conditions set out in paragraph 4(b)(i) of the UDRP are satisfied.

In accordance with that provision, this constitutes evidence that the disputed domain has been registered and is being used in bad faith. There is nothing in the file that displaces this presumption. The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Disputed domain name consists of the mark of a substantial bank, the generic term "business" and the gTLD suffix. The only use of the disputed domain name has been offering it for sale for £2000. The Respondent does not have any rights or legitimate interests in the disputed domain name and paragraph 4(b)(i) of the Policy applies.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. klarna-business.com: Transferred

PANELLISTS

Name	Jonathan Turner
------	-----------------

DATE OF PANEL DECISION 2023-05-04

Publish the Decision
