Decision for dispute CAC-UDRP-107626

Case number	CAC-UDRP-107626
Time of filing	2025-05-28 14:13:22
Domain names	sofort-klarna.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Klarna Bank AB

Complainant representative

Organization	SILKA AB

Respondent

Name	Duricyna Tatyana Mihaylovna

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 Complainant is the owner of numerous national and international trademark registrations, eg. international trademark KLARNA (Reg. No. 1066079, 1182130, 012656658), in Nice classes 18 and 25, registered since December 21, 2010 (extended in the Russian Federation), international trademark KLARNA in Nice classes 25, 26, 28, 35, registered since August 1, 2013 (extended in the European Union and in the Russian Federation). The Complainant is also the owner of several SOFORT national and regional trademark registrations, eg. EU trademark SOFORT (Reg. No. 7312631), registered in Nice classes 9, 35, 36, 38, 42, since September 20, 2010. The Complainant maintains its official website about its products and services at the domain name <klarna.com> (created on December 12, 2008) and redirects <sofort.com> to <klarna.com>. It also owns hundreds of other domain names consisting of the mark KLARNA, including but not limited to: <klarnacredit.com>, <klarnabank.org>, etc.

FACTUAL BACKGROUND

The Complainant, Klarna Bank AB, is one of Europe’s largest banks and is providing payment solutions to approx. 100 million customers in 26 countries. Its popularity is evident from its advertisement/promotion, news coverage, active social media pages. The Klarna Group was established in 2014 when the Complainant acquired German company SOFORT GmbH. Both Sofort and Klarna are payment service providers now owned by the Klarna Group. Klarna is a financial technology company offering various

payment products, one of which is Sofort. Sofort, originally a separate online payment method based on direct bank transfers, continues to operate as its own payment option in some regions, but is now part of the broader Klarna Group portfolio.

The wide usage of the trademarks SOFORT and KLARNA has resulted in the marks transcending regional boundaries and acquiring an enviable trans-border reputation. In addition, Klarna Bank AB provides payment services for online storefronts, including direct payments, pay after delivery options and installment plans. The Complainant has more than 5,000 employees, most of them working in Stockholm.

The disputed domain name <sofort-klarna.com> was registered on February 9, 2025, and is not active (displays „page not found“ notice).

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 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 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 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 Complainant filed the Complaint in English rather than in Russian (i.e. the language of the registration agreement). Pursuant to paragraph 11(a) of the Rules, unless otherwise agreed by the parties, or otherwise specified in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding. Paragraph 10(b) and (c) of the Rules requires the Panel to ensure that the proceeding takes place with due expedition and that the parties are treated fairly and given a fair opportunity to present their respective cases.

The Complainant filed its Complaint in English and then requested that English be the language of this ADR proceeding.

The Complainant noted the following factors supporting English as the fair language of the proceeding: (a) The Registration Agreement is in both Russian and English; (b) the Complainant refers to the decision in <klarna-sofort.com> (CAC-UDRP-105153), where the Respondent in those proceedings also had registered a similar domain name with the same Russian Registrar, and English was accepted as the language of the proceedings.

The Panel agrees with the factors presented by the Complainant and also admits additional important factors in favour of the Complainant’s option of English language for this proceeding: (a) the disputed domain name contains Latin (rather than Cyrillic) characters and the trademarks themselves – SOFORT and KLARNA; (b) the domain name <.com> is a generic top-level domain in the Domain Name System of the Internet, its name is derived from the English term “commercial”, indicating its intended use by commercial entities world-wide; (c) the translation of the Complaint into Russian would also cause additional expense and delay, making it unfair to proceed in Russian; (d) English is the primary language for business and international relations; (e) the Respondent has been given the opportunity to present its case in this proceeding and to respond formally to the issue of the language of the proceeding (the written notice from CAC was sent to the Respondent both in English and Russian languages); (f) the Respondent has not responded to the Complainant’s request for a change of the language from Russian to English.

Considering the above circumstances, the Panel finds that the choice of English as the language of the present proceeding is fair to

both parties and is not prejudicial to either one of the parties in his or her ability to articulate the arguments for this case.

The Panel has also taken into consideration the fact that insisting that the Complaint and all supporting documents to be re-filed in Russian would cause an unnecessary burden of cost to the Complainant and would unnecessarily delay the proceeding which would be contrary to Paragraph 10(b) and (c) of the Rules.

Having considered all the above matters, the Panel determines under paragraph 11(a) of the Rules that (i) it will accept the Complaint and all supporting materials as filed in English; and (ii) English will be the language of the proceeding and the decision will be rendered in English.

The Panel is satisfied that all the rest 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

The disputed domain name is identical to the Complainant's trademarks SOFORT and KLARNA. The Complainant’s trademarks are included in the disputed domain name in its entirety. It is well established in the UDRP case law that the addition of a generic Top-Level Domain (gTLD), here <.com>, is typically disregarded under the first element when considering the confusing similarity between the Complainant’s trademark and the disputed domain name.

The Panel acknowledges that the Complainant presented prima facie evidence that the Respondent is not sponsored by or affiliated with the Complainant in any way. Furthermore, the Complainant has not licensed, authorized, or permitted Respondent to use the Complainant’s trademarks in any manner, including in domain names. The Respondent's name (Duricyna Tatyana Mihaylovna) does not resemble the disputed domain name in any manner. The Respondent’s use of the disputed domain name does not constitute a bona fide offering of goods or services or a legitimate non-commercial or fair use.

On these bases, the Panel concludes that the Respondent does not have any rights or legitimate interests in regard to the disputed domain name.

As no administratively compliant response has been provided to the Panel and the prima facie evidence was not challenged by the Respondent, the Panel concludes that the Respondent evidently meant Complainant's trademarks SOFORT and KLARNA, when she registered the disputed domain name <sofort-klarna.com> (see WIPO Overview 3.0, para. 3.1.3 and 3.2). Previous UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Accordingly, the Panel finds that the disputed domain name was registered in bad faith.

From the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or “coming soon” page or, as it is in the current case, „page not found“ notice) would not prevent a finding of bad faith under the doctrine of passive holding (see section 3.3 in WIPO Overview 3.0). While UDRP panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put (section 3.3 WIPO Overview 3.0). It is evident that the disputed domain name has never been put to use, therefore, such a passive holding of the disputed domain name constitutes bad faith use under the Policy. In conclusion, this is clearly a bad faith use of the disputed domain name (para. 4(b)(iv) of the Policy).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **sofort-klarna.com**: Transferred

PANELLISTS

Name	**Darius Sauliūnas**

DATE OF PANEL DECISION 2025-07-07

Publish the Decision