Decision for dispute CAC-UDRP-108047

Case number	CAC-UDRP-108047
Time of filing	2025-10-14 10:00:56
Domain names	lynrad.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	LYNRED

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Wade Badhab

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 has submitted evidence, which the Panel accepts, showing that it is the registered owner of the IR trademark “LYNRED” (registration n° 1469292) dated April 8, 2019, and the French trademark “LYNRED” (registration n° 4524733) dated February 13, 2019.

Moreover, the Complainant is also the owner of the domain name bearing the sign “LYNRED”, <lynred.com>, registered since August 4, 2017.

FACTUAL BACKGROUND

The Complainant LYNRED is a French company with more than 35 years of experience and 1,000 employees, designing and manufacturing infrared detectors for military, space and commercial applications.

The Complainant is the owner of the IR trademark “LYNRED” n° 1469292 and French trademark “LYNRED” n° 4524733, as well as the domain name <lynred.com>.

The disputed domain name <lynrad.com> was registered on October 6, 2025, and is currently inactive.

PARTIES CONTENTIONS

COMPLAINANT:

1. THE DISPUTED DOMAIN NAME IS CONFUSINGLY SIMILAR

The Complainant states that the disputed domain name <lynrad.com> is confusingly similar to its well-known and distinctive trademark LYNRED. The misspelling of the Complainant's trademark LYNRED by changing the letter "E" with "A" is characteristic of a typosquatting practice intended to create confusing similarity between the Complainant's trademark and the disputed domain name. The Complainant stated that previous panels have found that the slight spelling variations do not prevent a domain name from being confusingly similar to the Complainant's trademark and referred to a previous panel decision.

The Complainant also states that the gTLD ".com" does not change the overall impression and does not prevent the likelihood of confusion.

Consequently, the Complainant asserts that the disputed domain name is confusingly similar to the Complainant's trademark.

2. NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name since the Respondent is not known as the disputed domain name and not identified in the WHOIS database.

The Complainant also states that the Respondent is neither related to the Complainant in any way nor has any business with the Complainant. There is not any license nor authorization granted to the Respondent to use the Complainant's trademark, or to apply for registration of the disputed domain name by the Complainant.

Moreover, the Complainant also claims that the disputed domain name is a typosquatted version of the trademark LYNRED. Typosquatting is claimed to be the practice of registering a domain name in an attempt to take advantage of Internet users' typographical errors and can evidence that a respondent lacks rights and legitimate interests in the domain name. Supporting this claim, the Complainant referred to a previous panel decision.

Furthermore, the Complainant claims that the disputed domain name has been used in a phishing scheme. The Complainant asserts that the Respondent uses the disputed domain name to pass itself off as one of the Complainant's employees. Using the domain name in this manner is neither a bona fide offering of goods or services nor a non-commercial or fair use.

3. THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS USED IN BAD FAITH

The Complainant indicates that the disputed domain name is confusingly similar to the Complainant's distinctive trademark LYNRED and the Complainant's trademark LYNRED is widely known. It is claimed that given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark.

Moreover, the Complainant explained that the misspelling of the trademark LYNRED was intentionally designed to be confusingly similar to the Complainant's trademark and it is in bad faith, by also referring to previous panel decisions.

Furthermore, the Complainant claimed that disputed domain name has been used in a phishing attempt and the Respondent tried to pass off as the Complainant in order to receive undue payment. Therefore, the Complainant states that the Respondent used the disputed domain name in bad faith, as it is well-established that using a domain name for purposes of phishing or other fraudulent activity constitutes solid evidence of bad faith use. Supporting this claim, the Complainant referred to a previous panel decision

Accordingly, the Complainant alleges that the disputed domain name was registered and is being used in bad faith.

RESPONDENT:

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 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

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a Complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

- the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

- the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy simply requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the owner of the registration of “LYNRED” trademark.

The Panel finds that the disputed domain name is confusingly similar to the Complainant’s “LYNRED” trademark, and it is almost identical to the Complainant’s domain name, as it is different in only one letter in the middle of the word, which is barely recognizable, and it can indeed be considered as typosquatting.

Moreover, the addition of the gTLD “.com” is not enough to abolish the similarity.

The Panel recognizes the Complainant's rights and concludes that the disputed domain name is confusingly similar to the Complainant's trademark. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy is provided.

2. NO RIGHTS OR LEGITIMATE INTERESTS

Under paragraph 4(a)(ii) of the Policy, the complainant has the burden of establishing that the respondent has no rights or legitimate interests in respect of the domain name.

It is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the respondent of the dispute, the use or making 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; or

(ii) the respondent of the dispute (as an individual, business, or other organization) has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or

(iii) the respondent of the dispute is making a legitimate non-commercial or fair use of the domain name, without an intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if the respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the disputed domain name, the complainant will have failed to discharge its burden of proof and the complaint will fail. The burden is on the complainant to demonstrate a prima facie case that the respondent does not have rights or legitimate interests in the disputed domain name. Once the complainant has made out a prima facie case, then the respondent may, inter alia, by showing one of the above circumstances, demonstrate rights or legitimate interests in the disputed domain name.

The Complainant contends that the Respondent has nothing to do with the Complainant or is not related in any way and has given no authorization for any use of the trademark “LYNRED”. Moreover, the disputed domain name has no relation to the Respondent, and the Respondent is not commonly known as the disputed domain name. Also, there is a phishing attempt using the domain name in the emails, which cannot be considered legitimate.

In the absence of a response, the Panel accepts the Complainant’s allegations as true that the Respondent has no authorization to use the Complainant’s trademark in the disputed domain name.

Hence, as the Complainant has made out its prima facie case, and as the Respondent has not demonstrated any rights or legitimate interests as illustrated under paragraph 4(c) of the Policy, nor has the Panel found any other basis for finding any rights or legitimate interests of the Respondent in the disputed domain dame, the Panel concludes that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. BAD FAITH

The Panel concludes that the misspelling of the trademark LYNRED may have been intentionally designed to be confusingly similar to the Complainant’s trademark. Typosquatting by the Respondent is an indication of bad faith registration and use.

Moreover, and more importantly, the fact that the dispute domain name has been used in a phishing attempt and the Respondent tried to pass off as the Complainant in order to receive unfair financial benefit is clearly in bad faith. The disputed domain name being currently invalid does not prevent a finding of bad faith.

All the circumstances of the case have been examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include no response having been filed, the disputed domain name being invalid and most importantly, the phishing attempt trying to obtain unfair benefit by impersonating the Complainant, all happened in this case, which is an inference of bad faith itself.

Therefore, in light of the above-mentioned circumstances in the present case, the Panel finds that the disputed domain name has been registered and is being used in bad faith and that the Complainant has established the third element under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lynrad.com**: Transferred

PANELLISTS

Name	Mrs Selma Ünlü

DATE OF PANEL DECISION 2025-12-19

Publish the Decision