Decision for dispute CAC-UDRP-108535

Case number	CAC-UDRP-108535
Time of filing	2026-03-27 02:56:24
Domain names	lithovision.com

Case administrator

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

Complainant

Organization	NIKON CORPORATION

Complainant representative

Organization	RODENBAUGH LAW LLC

Respondent

Name	Jimmy Harianto

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 claims unregistered common law rights in the “LithoVision” name through extensive and continuous use in commerce for approximately two decades. Specifically, the Complainant claims to have used “LithoVision” in connection with a well-known annual technical symposium focused on semiconductor lithography and future industry developments over many years, beginning in 2005.

The exact date on which the Respondent registered the disputed domain name is unclear. According to the Complainant, the domain name was previously registered and used in connection with the Complainant’s “LithoVision” symposium, before lapsing and later being acquired by the Respondent in 2025. According to the Registrar, GoDaddy, the disputed domain name was originally created on 26 April 2007. On 27 March 2026, GoDaddy informed the Czech Arbitration Court that the disputed domain name had been registered to the Respondent “since at least 3/27/2026”, which is not particularly helpful information to clarify the exact registration date.

The Panel will discuss the implications of this unclear situation in the “Principal Reasons for the Decision” section below.

FACTUAL BACKGROUND

The Complainant is a company that operates in the semiconductor photolithography industry. It provides advanced lithography

systems, inspection equipment and related technologies that are used in the manufacture of integrated circuits. It claims to have developed a long-standing reputation in the lithography industry through decades of innovation in photolithography systems and asserts that its equipment has been used in the production of a substantial proportion of integrated circuits worldwide. The Complainant also asserts that it is widely recognized as a leading supplier of semiconductor lithography technology.

The Complainant has used the "LithoVision" name in connection with recurring symposia events over many years, beginning in 2005. These events featured presentations and participation from leading semiconductor companies and industry experts, including representatives from companies such as Intel, KLA, Tokyo Electron, Synopsys, and Nikon. The Complainant argues that through this long-standing and consistent use, the "LithoVision" name has acquired distinctiveness and secondary meaning within the semiconductor industry, identifying the Complainant as the source of these events and related materials. To support these claims, the Complainant has submitted conference materials and photographs dating from February 2005 to February 2019.

The Complainant contends that the Respondent is not affiliated with nor authorized by the Complainant in any way. The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant does not carry out any activity for, nor has any business with the Respondent. Neither license nor authorization has been granted to the Respondent to make any use of the Complainant's "LithoVision" trademark, or to apply for registration of the disputed domain names.

The disputed domain name automatically forwards to a commercial website promoting online gambling and slot gaming services under the name "IDCASH88", which is entirely unrelated to the Complainant or its "LithoVision" symposium. The website includes promotional materials, login and registration functions, and inducements for users to engage in online gambling activities.

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 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

1.

The Panel accepts that the Complainant has established unregistered or common law trademark rights in the name "LithoVision" for the purposes of the Policy, by demonstrating that the mark has become a distinctive identifier within the semiconductor industry for the annual symposia organized by the Complainant. Relevant factors in this regard include the long period of use (at least 2005 to 2019 as shown the Complainant's evidence), the highly specialized nature of the semiconductor industry targeted by these conferences, and the non-descriptive (or at least not directly descriptive) nature of the "LithoVision" name.

It is unclear if the Complainant organized any additional “LithoVision” conferences after 2019. The fact that the Complainant allowed the disputed domain name to expire, enabling the Respondent to register it, suggests that the Complainant may have lost interest in the “LithoVision” name and its corresponding activities, at least temporarily. However, once unregistered or common law trademark rights have been established through use, they continue to exist regardless of the owner's corresponding “interest” as long as the relevant public still associates the name with the owner. Given the factors described above and the absence of any opposing views submitted by the Respondent, the Panel accepts that the Complainant’s unregistered trademark rights are still recognized within the semiconductor industry, even if no further “LithoVision” conferences have been organized since 2019.

As the first three “LithoVision” conferences took place in February 2005, 2006, and 2007, the Panel further accepts that the Complainant’s use of “LithoVision” predates the Respondent’s registration of the disputed domain name, regardless of the exact registration date between April 2007 (the earliest possible date according to the Registrar) and 2025 (as submitted by the Complainant).

The disputed domain name is thus identical to the Complainant’s trademark “LithoVision” (within the meaning of paragraph 4(a)(i) of the Policy).

2.

The Panel further finds that the Complainant successfully submitted prima facie evidence that the Respondent has neither made any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is making a legitimate non-commercial or fair use of the disputed domain name, nor is commonly known under the disputed domain name. Using the disputed domain name for an online gambling website can be considered a “use” of the domain name in connection with an “offering of goods or services”. However, as this gaming website’s content has no conceivable connection to the name “LithoVision”, it is not a “bona fide offering” (see below on the corresponding aspects of bad faith). The Respondent did not challenge the Complainant’s prima facie evidence.

3.

The Panel further finds that the Complainant successfully submitted prima facie evidence that the Respondent has registered and used this disputed domain name in bad faith, namely by intentionally attempting to attract, for commercial gain, internet users to its online gambling website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's online gambling website (paragraph 4(b)(iv) of the Policy). Again, the Respondent did not challenge the Complainant’s prima facie evidence.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lithovision.com**: Transferred

PANELLISTS

Name	**Dr. Thomas Schafft**

DATE OF PANEL DECISION 2026-05-14

Publish the Decision