Decision for dispute CAC-UDRP-108796

Case number	CAC-UDRP-108796
Time of filing	2026-06-30 11:59:41
Domain names	squaredbreakers.com

Case administrator

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

Complainant

Organization	SNA HOLDING INC

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Li Ce Ping

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 owns the USPTO trademark “SQUARE D”, registered since January 6, 1931.

Its trademark registration covers International Class 9, and US Class 21 (Primary Class) as follows:

"INDUSTRIAL SWITCHES, METER SERVICE SWITCHES, METER SERVICE BREAKERS, ELECTRICAL CONDUITS, ELECTRICAL CONDUIT PARTS AND FITTINGS, PANELBOARDS, SWITCHBOARDS, FUSE CABINETS, AUTOMATIC ELECTRIC MOTOR STARTERS, FLOAT SWITCHES PRESSURE SWITCHES"

FACTUAL BACKGROUND

The Complainant (Ex – SQUARE D company) is said to be founded in 1902.

It is an American manufacturer of electrical equipment headquartered in Andover, Massachusetts, USA.

It is now a flagship brand of Schneider Electric, having been acquired in 1991.

The disputed domain name was registered on October 25, 2024.

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).

The Complainant's rights are asserted to be established by reference to its trademark registration, which was filed on May 26, 1930, predating the registration date of the disputed domain name on October 25, 2024 by nine decades.

By its trademark registration, the Complainant clearly has rights within the meaning of the Policy. See WIPO Overview 3.0, section 1.2.1.

The next step is to determine whether a domain name is identical or confusingly similar to a trademark. The approach to be adopted for the purposes of this element is to do a side-by-side comparison with the disputed domain name. See F. Hoffmann-La Roche AG v. P Martin.

A domain name is identical to a complainant's registered trademark when it is a character for character match. It is confusingly similar when it varies the trademark by, for example, adding generic or descriptive terms to the dominant part of the trademark. See WIPO Case No. D2009-0323; WIPO Overview 3.0, section 1.7.

It is also well established that a domain name which wholly incorporates a complainant's registered trademark may be sufficient to establish confusing similarity for UDRP purposes. See WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin.

Here, the disputed domain name reproduces the Complainant's trademark in its entirety, with the addition of the descriptive word "BREAKERS" to produce the disputed domain name.

The Panel finds that the use of this descriptive word describes the Complainant's circuit breaker products that it offers for sale under and by reference to its trademark "SQUARE D". The addition of this descriptive word, especially when it describes the Complainant's product offering, is not sufficient to escape a finding that the disputed domain name is confusingly similar to a complainant's trademark. It also does not change the overall impression of the designation as being connected to the complainant's trademark. See similar finding in WIPO Case No. D2025-1320 SNA Holding Inc. v Guo Qing Bing, where the descriptive word "official" was added to the trademark.

The generic top-level domain suffix ".com" is disregarded for the purposes of considering this element.

Accordingly, the Panel considers that this ground is made out.

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).

A complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. See WIPO Case No. D2003-0455 Croatia Airlines d.d. v. Modern Empire Internet Ltd.

Once such a prima facie case is made, the burden shifts to the respondent to demonstrate rights or legitimate interests in the domain name. If the respondent fails to do so, the Panel may draw such inferences as it considers appropriate from the materials before it. See WIPO Overview 3.0, section 2.1.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name because:

- the Respondent is not commonly known by the disputed domain name, as shown by the WHOIS information;
- the Respondent is neither affiliated with nor authorised by the Complainant;
- the Complainant has not licensed or otherwise permitted the Respondent to use its "SQUARE D" trademark or to register the disputed domain name;
- the disputed domain name redirects to a website which purports to be associated with the Complainant and offers goods

bearing the “SQUARE D” trademark; and
- the use of the disputed domain name to impersonate the Complainant and divert Internet users to competing goods or services is neither a bona fide offering nor a legitimate non-commercial or fair use.

The Panel notes that there is no evidence that the Respondent holds any trademark rights in “SQUAREDBREAKERS” or is commonly known by that name.

The Complainant adduced evidence using FireShot Pro to capture the web page screenshot of the disputed domain name. The disputed domain name is now passively held and returns a DNS resolution error “This site can’t be reached”.

The Panel also finds that the nature of the disputed domain name, being confusingly similar to the Complainant’s “SQUARE D” trademark combined with the descriptive word “BREAKERS” suggests implied affiliation, sponsorship, or endorsement by the Complainant. See WIPO Overview 3.0, section 2.5.1.

Having reviewed the evidence, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Respondent has not filed any response and has not offered any explanation, whether of a prior right, a legitimate commercial purpose, or any other basis upon which a right or legitimate interest in the disputed domain name might be founded.

Accordingly, the Panel finds this ground made out.

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).

The Complainant must demonstrate that the disputed domain name was registered and is being used in bad faith. Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that, if present, shall be evidence of registration and use of a domain name in bad faith. The Panel is not limited to those enumerated circumstances and may consider any other conduct that supports a finding of bad faith in the particular circumstances of the case. See WIPO Overview 3.0, section 3.1.

The Complainant contends that the disputed domain name was registered and is being used in bad faith because:

- it is confusingly similar to the Complainant’s well-known “SQUARE D” trademark;
- the Respondent deliberately targeted the Complainant’s prior trademark rights;
- the Respondent uses the domain name to misrepresent itself as the Complainant or as being connected with the “SQUARE D” brand;
- the associated website offers products manufactured by the Complainant and its competitors; and
- the Respondent seeks commercial gain by creating confusion as to the source, sponsorship, affiliation or endorsement of the website and the goods offered through it.

Here, the Panel notes that the Respondent registered a domain name which is confusingly similar to the Complainant’s trademark that has had a longstanding, intensely used and distinctive trademark in the marketplace.

The Panel infers, from the evidence adduced, that by registering the disputed domain name the Respondent knew or should have known that its registration would be confusingly similar to the Complainant’s trademark.

Accordingly, the Panel finds that the Respondent registered the disputed domain name in bad faith.

The evidence of the screenshot taken of the contents of the disputed domain name website also confirms that the Respondent was using the disputed domain name to sell circuit breaker products that bear the Complainant’s trademark without its authorisation or licence. The Panel infers that such conduct is an attempt to seek commercial gain by creating confusion as to the source, sponsorship, affiliation or endorsement of the Complainant, even if the products concerned are not counterfeit goods. There is also no evidence of any disclaimers proffered by the Respondent even if it was selling genuinely marked goods of the Complainant.

In the circumstances, the Panel is prepared to find that the Respondent’s use of the disputed domain name is in bad faith.

The Panel notes that there has been a delay of some 21 months from the date of registration of the disputed domain name and the bringing of the proceedings in the CAC. The Complainant has not proffered any explanation for the delay. Given the nature of the trademark and its longstanding use and distinctiveness, the Panel considers that such a delay not to be inordinate so as to be detrimental to the Complainant.

The Respondent has not filed any response and has offered no explanation for the registration of a domain name so obviously replicating the Complainant's trademark, nor for its use.

The Panel is, therefore, prepared to draw the adverse inference that no innocent explanation is available.

Accordingly, the Panel accepts that the disputed domain name was registered by the Respondent and used in bad faith.

PROCEDURAL FACTORS

Language of proceedings request

The language of the Registration Agreement for the disputed domain name is Chinese. The Panel has not cited in the record a request from the Complainant to proceed with the Complaint in English. As the Complaint is admitted by the CAC to proceed further in the administrative proceeding, the Panel infers the Complainant's request to do so, and in any event will exercise its power to determine the proceeding in English.

Rule 11(a) of the UDRP rules states:

Unless otherwise agreed by the Parties, or specified otherwise 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.

In conducting the administrative proceeding, the Panel is required to ensure under Rule 10 of the UDRP rules that the Parties are treated with equality and be given a fair opportunity to present their case.

While the Panel has not cited any specific submissions put forward by the Complainant, the evidence shows:

- Neither the Complainant, nor its representatives, understand Chinese;
- The website of the disputed domain name is entirely in English;
- No words of the disputed domain name website are in Chinese;
- The e-mail address on the Customer Support web page of the dispute domain name website refers to squaredbreakers@hotmail.com;
- The Respondent's e-mail included in the WHOIS is not written in Chinese but in English.

While the Respondent appears to be located in China and the language of the Registration Agreement is in Chinese, the Panel considers that requiring the Complainant to translate the Complaint and annexes into Chinese would entail additional time and cost, without any clear corresponding benefit in terms of fairness to the Respondent.

The Respondent has been notified of this proceeding and of the Complainant’s request regarding language but has not come forward, has not objected to English, and has not filed any administratively compliant response.

In these circumstances, the Panel is satisfied that proceeding in English will not unfairly prejudice the Respondent and is consistent with the objectives of efficiency and fairness reflected in the Rules.

Accordingly, the Panel determines that the language of this administrative proceeding shall be English.

Notification of proceedings to the Respondent

When forwarding a Complaint, including any annexes, electronically to the Respondent, paragraph 2 of the Rules states that CAC shall employ reasonably available means calculated to achieve actual notice to the Respondent.

Paragraphs 2(a)(i) to (iii) set out the sort of measures to be employed to discharge CAC’s responsibility to achieve actual notice to the Respondent.

On July 21, 2026 the CAC by its non-standard communication stated as follows (omitting irrelevant parts):

“CAC notified the Respondent about the administrative proceeding via available means of communication: email notification, written notice, and contact form found on the disputed domain website

Please be aware that the CAC was not able to send the written notice to the Respondent as the addresses provided by the Registrar in Registrar verifications does not exist. The postal service provider was not able to deliver a written notice to such address.

No other address for correspondence was found on the disputed domain name.

As far as the e-mail notice is concerned, we received notification that the e-mail sent to postmaster@squaredbreakers.com was returned back undelivered as the e-mail address had permanent fatal errors. The e-mail notice was also sent to 306623536@qq.com and to squaredbreakers@hotmail.com, but we did not receive any proof of delivery or notification of non-delivery.

The Respondent never accessed the online platform.”

Given the reasonable measures employed by CAC as set out in the above non-standard communication, 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

The Complainant owns the USPTO trademark “SQUARE D”, registered since January 6, 1931.

The Respondent registered the disputed domain name on October 25, 2024.

The Complainant challenges the registration of the disputed domain name under paragraph 4(a) of the Uniform Domain Name Dispute Resolution Policy, seeking transfer of the disputed domain name.

The Respondent failed to file any administrative compliant response.

For the reasons articulated in the Panel’s findings above, the Panel is satisfied that:

- The disputed domain name is confusingly similar to the Complainant’s trademark “SQUARE D”;
- The Respondent has no rights or legitimate interests in respect of the disputed domain name;
- The disputed domain name has been registered and are being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **squaredbreakers.com**: Transferred

PANELLISTS

Name	**William Lye OAM KC**

DATE OF PANEL DECISION 2026-07-24

Publish the Decision