Decision for dispute CAC-UDRP-109071

Case number	**CAC-UDRP-109071**
Time of filing	**2026-10-12 13:07:52**
Domain names	**uyn.ai**

Case administrator

Name	**Olga Slanařová (Case admin)**

Complainant

Organization	**Trerè Innovation S.r.l.**

Complainant representative

Name	**Avvocato Ivett Paulovics**

Respondent

Name	**Douglas Postek**

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 established rights in the UYN trademark, including through the following registrations:

- European Union trademark registration No. 016950883, registered on November 6, 2017, in Classes 25 and 35;
- European Union trademark registration No. 018365485, registered on May 4, 2021, in Classes 9, 18 and 28; and
- United States trademark registration No. 5567797, registered on September 25, 2018, in Classes 25 and 35, resulting from a designation under International Registration No. 1384243.

These registrations are for figurative marks in which the letters UYN are clearly recognizable.

FACTUAL BACKGROUND

The Complainant is an Italian company engaged in the development, manufacture and distribution of technical sportswear, footwear and related products. The Complainant launched its UYN brand in 2017 and markets its products internationally, including through its website at "uynsports.com", retail outlets, sponsorship arrangements and promotional activities.

The Complainant's evidence includes trademark registration records, information concerning its commercial activities, media coverage, sponsorship of national ski teams, social media presence and retail stores.

The domain name was registered on May 7, 2025, with GoDaddy.com, LLC (the "Registrar").

The Respondent is an individual residing in the United States. He maintains that he registered the domain name for an independent technology project named Universal Y Nexus, which he had begun developing before registering the domain name.

The domain name has resolved to a Registrar-generated parking page displaying pay-per-click ("PPC") links, including links relating to the Complainant's products and competing sportswear products.

PARTIES CONTENTIONS

COMPLAINANT

The Complaint

The Complainant requests the transfer of the domain name.

The Complainant submits that it has established substantial rights and reputation in the UYN trademark through its international sportswear business, trademark registrations, retail activities, sponsorship arrangements and promotional efforts.

The Complainant contends that the domain name is identical or confusingly similar to its UYN trademark, which is reproduced in its entirety.

The Complainant further submits that the Respondent has no rights or legitimate interests in the domain name. The Respondent has no relationship with the Complainant, has not been authorized to use its trademark and is not commonly known by the domain name.

The Complainant relies on the domain name's use for a parking page displaying PPC links relating to UYN products and competing sportswear products. It submits that such use does not constitute a bona fide offering of goods or services or legitimate noncommercial or fair use.

Regarding bad faith, the Complainant relies on its longstanding trademark rights, the reputation of the UYN brand, the correspondence between the domain name and its trademark, and the trademark-related PPC advertising.

The Complainant submits that the Respondent registered and used the domain name to attract Internet users for commercial gain by creating a likelihood of confusion with its trademark.

The Complainant also relies on the invitation to acquire or register the domain name displayed on the parking page and maintains that the Respondent cannot avoid responsibility for the advertising merely because the links may have been generated automatically by the Registrar or another third party.

The Complainant's Additional Submissions

In its Additional Submissions, the Complainant disputes that the Respondent's evidence establishes an independent and legitimate reason for registering the domain name.

The Complainant questions the evidentiary weight of the Respondent's selected ChatGPT conversation extracts, redacted code headers and other records, submitting that they do not sufficiently establish demonstrable preparations to use the domain name for a bona fide offering of goods or services.

The Complainant maintains that the trademark-related PPC advertising remains significant irrespective of whether the Respondent selected the links or received advertising revenue.

The Complainant reiterates its allegations of bad faith and maintains its request for transfer.

In its comments pursuant to Procedural Order No. 1, the Complainant submits that the Respondent's asserted inability to modify the parking page following restrictions imposed by GoDaddy during these proceedings does not alter the assessment of his rights or legitimate interests or of bad-faith registration and use. The Complainant maintains that the domain name had already displayed PPC advertising associated with its UYN trademark and products before the Complaint was filed, as shown in Annexes 15–18. It also relies on its screenshot dated November 2, 2026 (Supplemental Annex 1) as evidence that such advertising remained displayed on that date.

The Complainant submits that the Respondent cannot disclaim responsibility for automatically generated PPC links on the basis that they were selected by a third party or yielded no direct financial benefit, citing WIPO Overview 3.1, section 3.5. It further argues that the Respondent's claimed restrictions during the proceedings do not excuse the earlier advertising. Subject to the Panel's discretion to admit the Respondent's November 3, 2026 evidence, the Complainant also challenges the Python file submitted on that date, noting the absence of independently verifiable evidence of its creation date or development history and disputing that it establishes demonstrable preparations to use the domain name before notice of the dispute. The Complainant maintains its request for transfer.

RESPONDENT

The Response

The Respondent requests that the Complaint be denied.

The Respondent does not dispute the Complainant's trademark rights or the correspondence between the domain name and the letters UYN.

He contends that he registered the domain name independently for a technology project named Universal Y Nexus. He expressly denies having heard of or looked at the Complainant's company before the week in which he began addressing this dispute, and denies registering the domain name to target the Complainant or its trademark.

The Respondent states that he began developing the underlying project on December 17, 2024. He explains that the name evolved during the course of the project, including from Universal Y Matrix to Universal Y Nexus.

He provides extracts of conversations with ChatGPT, including exchanges purporting to date from January 31, 2025, together with subsequent development records, redacted code headers and domain registration records.

The Respondent states that his project concerns a proprietary physics solver and that he selected the ".ai" extension because of the nature of his technology work. He does not claim that the project was a completed commercial service at the time of registration.

Regarding the parking page, the Respondent maintains that it resulted from the Registrar's default free-parking arrangements. He denies selecting the PPC links, receiving advertising revenue or intending to benefit from the Complainant's trademark.

The Respondent acknowledges that he maintains a portfolio of domain names, some acquired for projects and others for speculative purposes. He states that his domain names were available through brokerage arrangements but denies setting an asking price for the domain name, authorizing an approach to the Complainant or registering the domain name for the purpose of selling it to the Complainant or a competitor.

The Respondent's Additional Submissions

In his Additional Submissions, the Respondent reiterates his explanation for selecting Universal Y Nexus and provides further information concerning his project.

He acknowledges limitations in the documentary evidence, including that some ChatGPT conversation extracts are selective and that portions of his code have been redacted.

The Respondent provides further material concerning the purported contemporaneous naming records, his domain portfolio, development activities and the parking arrangements. He also supplies an example of Python code which he states is associated with his project.

Regarding the parking page, the Respondent provides account information and screenshots which he maintains support his position that he did not select the PPC links and received no advertising revenue.

In a further communication dated November 5, 2026, the Respondent describes a telephone conversation with GoDaddy concerning the removal of the advertising. He maintains that he wishes to replace the parking page with a neutral page but has been advised that restrictions associated with the dispute prevent him from making the necessary changes.

The Respondent acknowledges that his account of the telephone conversation has not been independently confirmed in writing.

The Respondent maintains that the domain name was registered for his independent technology project and requests that the Complaint be denied.

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 Panel does not consider it necessary to make a finding under paragraph 4(a)(ii) of the Policy, for the reasons set out below.

BAD FAITH

The Complainant has not, 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.

Additional Submissions and Procedural Order No. 1

Following the filing of the Complaint and Response, both Parties submitted Additional Submissions.

The Policy and Rules do not provide an automatic right to file Additional Submissions. Paragraphs 10 and 12 of the Rules confer discretion on the Panel to determine their admissibility.

Paragraph 10(b) of the Rules requires the Panel to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case. Paragraph 10(c) requires the Panel to ensure that the proceeding takes place with due expedition, while paragraph 10(d) provides that the Panel shall determine the admissibility, relevance, materiality and weight of the evidence.

Paragraph 12 of the Rules permits the Panel, in its sole discretion, to request further statements or documents from either Party.

As reflected in section 4.6 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.1"), unsolicited supplemental submissions are generally discouraged unless specifically requested by the panel. Their admission is a matter for the panel's discretion, taking into account the particular circumstances of the case and the requirements of procedural fairness.

In the present case, the Parties' Additional Submissions address matters relevant to the determination of the Complaint, particularly the Respondent's asserted independent adoption of UYN and the circumstances surrounding the PPC advertising. Both Parties expressly requested that their Additional Submissions be considered.

On November 5, 2026, the Respondent submitted further information concerning his communications with GoDaddy and his asserted inability to modify the parking page associated with the domain name.

On November 6, 2026, the Panel issued Procedural Order No. 1. Without making any determination at that stage concerning the admissibility or evidentiary weight of the Parties' Additional Submissions, the Panel invited the Complainant, in the interests of procedural fairness, to comment specifically on the Respondent's November 5, 2026 submission within three calendar days of notification of the Order.

Also on November 6, 2026, the Complainant filed comments pursuant to Procedural Order No. 1, addressing the Respondent's November 5, 2026 submission and maintaining its request for transfer of the domain name.

Having regard to the circumstances of the case, including the nature of the Additional Submissions, the Parties' respective requests that they be considered, and the opportunity afforded to and exercised by the Complainant to respond to the Respondent's most recent submission, the Panel determines, in the exercise of its discretion under paragraphs 10 and 12 of the Rules, to admit and consider the Additional Submissions, including the Complainant's comments pursuant to Procedural Order No. 1.

The Panel emphasizes that the admission of these submissions does not imply acceptance of the factual assertions contained in them. The Panel has assessed their relevance and evidentiary weight together with the remainder of the record.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 4(a) of the Policy requires the Complainant to establish each of the following three elements:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the domain name has been registered and is being used in bad faith.

The applicable standard of proof is the balance of probabilities, and the ultimate burden of proof rests with the Complainant. See WIPO Overview 3.1, section 4.2.

(A) IDENTICAL OR CONFUSINGLY SIMILAR

The first element functions primarily as a standing requirement. The test involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the domain name. See WIPO Overview 3.1, section 1.7.

The Complainant has established registered rights in the UYN trademark.

The Panel notes that the Complainant's trademark registrations relied upon in these proceedings are figurative marks. However, the

letters UYN are clearly recognizable in those marks, and the figurative elements do not prevent a finding of confusing similarity. See WIPO Overview 3.1, section 1.10.

The domain name reproduces the letters UYN in their entirety.

The ".ai" Top-Level Domain is disregarded for the purposes of the comparison, as it is a standard registration requirement. See WIPO Overview 3.1, section 1.11.1.

Accordingly, the Panel finds that the domain name is confusingly similar to a trademark in which the Complainant has rights.

The first element of paragraph 4(a) of the Policy is satisfied.

(B) RIGHTS OR LEGITIMATE INTERESTS

Paragraph 4(c) of the Policy sets out a non-exhaustive list of circumstances in which a respondent may demonstrate rights or legitimate interests in a domain name.

Although the overall burden of proof rests with the complainant, where a complainant makes out a prima facie case that a respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating such rights or legitimate interests. The ultimate burden of proof remains with the complainant. See WIPO Overview 3.1, section 2.1.

The Complainant has established a prima facie case. It has not authorized the Respondent to use its UYN trademark, and there is no evidence that the Respondent is commonly known by the domain name.

Furthermore, the Complainant has provided evidence that the domain name has been used for a parking page displaying PPC links referring to its products and competing sportswear products.

Such use would not ordinarily constitute a bona fide offering of goods or services or legitimate noncommercial or fair use where the links capitalize on the reputation and goodwill associated with the Complainant's trademark. See WIPO Overview 3.1, section 2.9.

The Respondent, however, has provided a substantive explanation for registering the domain name. He maintains that UYN is an acronym for Universal Y Nexus, the name of a technology project he began developing before registering the domain name. In support, he has provided records of conversations concerning the selection and adoption of that name, together with code headers, domain registration records and other evidence of his development activities.

The Panel also notes that the Respondent's assertion that the PPC advertising was automatically generated, and that he received no advertising revenue, does not in itself establish rights or legitimate interests.

The Panel considers that the Respondent has provided a plausible explanation for registering the domain name, supported by documentary evidence purporting to predate its registration. However, the evidence has limitations, and the Panel does not consider it necessary to conclusively determine whether the Respondent has rights or legitimate interests under paragraph 4(a)(ii) of the Policy, in view of its findings under the third element below.

(C) BAD FAITH REGISTRATION AND USE

The third element requires the Complainant to establish that the domain name has been registered and is being used in bad faith under paragraph 4(a)(iii) of the Policy.

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that may constitute evidence of registration and use in bad faith. Bad faith may also be established on other grounds, having regard to the totality of the circumstances.

The Complainant has established that it has held registered rights in the UYN trademark since 2017, approximately eight years before registration of the domain name. The Complainant has also provided substantial evidence of its commercial activities and the international promotion of its UYN brand, including its retail presence, sponsorship of national ski teams, social media activities and coverage in industry publications. The Panel accepts that the UYN trademark had acquired recognition in the sportswear sector before the domain name was registered.

Furthermore, the domain name reproduces the letters UYN exactly and has been used for a parking page displaying PPC links expressly referring to the Complainant's products and competing goods. These circumstances support the Complainant's allegations of bad faith.

On the other hand, the fact that a domain name corresponds to a pre-existing trademark, even one with an established reputation, does not necessarily establish that it was registered to target the trademark owner. The Panel must determine whether, on the balance of probabilities, the Respondent registered the domain name with knowledge of, and an intention to target, the Complainant or its trademark.

The Panel notes that UYN is a three-letter combination capable of functioning as an acronym for different expressions. While the Complainant has established trademark rights and recognition of its UYN brand in the sportswear sector, this does not preclude independent adoption of the same letters for an unrelated purpose. The relevant question is whether the Respondent registered the domain name because of its association with the Complainant or its trademark.

The Respondent's explanation for registering the domain name

The Respondent expressly denies registering the domain name with the Complainant in mind, stating in his Response, “I had never heard of or looked at its company until the week I began addressing this dispute. I did not buy uyn.ai to target it.”

He consistently maintains that he selected UYN independently as an acronym for Universal Y Nexus, the name of a technology project he had been developing since before registration.

The Respondent has provided documentary evidence in support of his explanation.

In particular, he has submitted records of conversations purporting to date from January 31, 2025, in which the name Universal Y Nexus was selected and adopted. If authentic, these records would predate registration of the domain name by more than three months.

The extracts include a January 31, 2025 exchange in which the Respondent discusses reconsidering the acronym UYM, expresses a preference for "Nexus" or "Framework", and subsequently adopts Universal Y Nexus as the name of the project.

The Respondent has also provided further records purporting to show continued use of UYN in February and May 2025, redacted code headers and evidence of his acquisition of other domain names for related technology projects.

The Panel considers this evidence relevant to the Respondent's explanation for registering the domain name. However, the records have evidentiary limitations. Some comprise selected extracts of conversations with an AI assistant, while other materials have been redacted or prepared for the purposes of these proceedings.

The Respondent himself acknowledges limitations in the underlying records, including that they do not independently establish every historical date or the continuity of the project.

The relevant question is whether the Respondent's explanation for selecting and registering the domain name is credible when considered in light of the available evidence.

The Panel considers the Respondent's explanation for selecting UYN as an acronym for Universal Y Nexus to be plausible. His account is supported by records purporting to show the adoption of that name before registration of the domain name. Furthermore, the asserted technology project is unrelated to the Complainant's sportswear business.

The Panel has also considered whether the Complainant's reputation renders the Respondent's denial of prior knowledge implausible. Although the Complainant has demonstrated recognition of its UYN trademark internationally, including a retail presence in the United States, the evidence does not establish such widespread recognition that the Panel should reject the Respondent's account. The Panel considers it plausible that an individual in the United States developing an unrelated technology project may not have been aware of the Complainant or its trademark.

While mindful of the evidentiary limitations of the Respondent's supporting records, the Panel considers that they lend credibility to his explanation for selecting the domain name independently of the Complainant. The Panel also notes the Respondent's consistent account and substantive engagement with these proceedings, notwithstanding that he is not legally represented.

The PPC advertising

The Panel has also carefully considered the evidence of PPC advertising. The Complainant's screenshots dated October 9, 2026, show that the domain name resolved to a GoDaddy parking page displaying links expressly referring to UYN products. The Panel considers this evidence significant. The advertising is not merely generic but relates directly to the Complainant's field of commercial activity.

The Panel accepts that a respondent cannot necessarily avoid responsibility for PPC advertising merely because the links were generated automatically by a registrar or third party. See WIPO Overview 3.1, section 3.5.

Nor does the Respondent's assertion that he received no advertising revenue necessarily negate the commercial nature of the advertising.

However, the Panel must assess the significance of the advertising in the particular circumstances of this case.

The Respondent maintains that the parking page resulted from GoDaddy's default free-parking arrangements, that he did not select the advertising links and that he was unaware of their content until the dispute arose.

He has provided account records indicating that he received no advertising revenue and has described subsequent efforts to investigate the removal of the advertising.

In his Additional Submission dated November 5, 2026, the Respondent provided further information concerning his communications with GoDaddy and his asserted inability to modify the parking page while the domain name remains subject to restrictions associated with these proceedings. Although his account is not independently corroborated in all respects, the screenshot showing that the domain name had been placed on hold is consistent with at least part of his explanation.

By Procedural Order No. 1, the Panel invited the Complainant to comment on the Respondent's November 5, 2026 submission. In its response pursuant to Procedural Order No. 1, the Complainant submits that the restrictions asserted by the Respondent do not explain or excuse the trademark-related PPC advertising displayed before the proceedings commenced. The Complainant also relies on its November 2, 2026 screenshot as evidence that such advertising continued to be displayed.

The Panel accepts that the restrictions asserted by the Respondent do not explain or excuse the earlier advertising. Nevertheless, the question remains whether, having regard to the totality of the evidence, the Complainant has established that the Respondent registered the domain name to target its trademark.

The Panel does not consider that the evidence establishes that the Respondent registered the domain name for the purpose of displaying trademark-related PPC advertising. The records supporting the Respondent's explanation for independently adopting UYN purport to predate registration of the domain name, whereas the PPC screenshots were captured substantially later.

The Panel recognizes that subsequent use may provide evidence of a respondent's intentions at the time of registration. However, in the circumstances of this case, the Panel is not persuaded that the PPC advertising outweighs the evidence supporting the Respondent's plausible explanation for his original selection of the domain name.

The alleged offer for sale

The Panel has also considered the Complainant's reliance on the invitation to acquire or register the domain name displayed on the parking page.

The screenshot in Annex 15 shows a GoDaddy-generated invitation in Italian to register the domain name. The Panel does not consider that this establishes that the Respondent personally offered the domain name for sale.

The Respondent acknowledges that his domain names were available through brokerage arrangements but denies setting an asking price for the domain name, soliciting the Complainant or instructing a broker to approach it.

There is no evidence before the Panel that the Respondent approached the Complainant or registered the domain name primarily for the purpose of selling it to the Complainant or a competitor for valuable consideration exceeding his documented out-of-pocket costs.

The Panel therefore does not consider that the evidence establishes bad faith registration under paragraph 4(b)(i) of the Policy.

Conclusion on the third element

Having considered the totality of the circumstances, including the Complainant's prior trademark rights and reputation, the correspondence between the domain name and the UYN trademark, the trademark-related PPC advertising, and the Respondent's explanation for independently selecting UYN as an acronym for “Universal Y Nexus” together with the supporting documentary evidence, the Panel is not persuaded, on the balance of probabilities, that the Respondent registered the domain name to target the Complainant or its trademark.

While the Panel recognizes the limitations of the Respondent's evidence, it considers his explanation credible in the circumstances, including his assertion that he was unaware of the Complainant or its trademark before these proceedings. The Complainant has therefore failed to establish bad faith registration. As paragraph 4(a)(iii) of the Policy requires proof of both registration and use in bad faith, this is sufficient to dispose of the Complaint.

Accordingly, the third element of paragraph 4(a) of the Policy is not satisfied.

(D) REVERSE DOMAIN NAME HIJACKING

Paragraph 1 of the Rules defines Reverse Domain Name Hijacking ("RDNH") as using the Policy in bad faith to attempt to deprive a registered domain-name holder of a domain name. Under paragraph 15(e) of the Rules, where a panel finds that a complaint was brought in bad faith, it shall declare that the complaint constitutes an abuse of the administrative proceeding.

An unsuccessful complaint does not, of itself, warrant a finding of RDNH. See WIPO Overview 3.1, section 4.16.

In the present case, the Complainant has established longstanding trademark rights in UYN and provided evidence of its international reputation. The domain name has also been used for PPC advertising relating directly to the Complainant's products and

provided evidence of its international reputation. The domain name has also been used for PPC advertising relating directly to the Complainant's products and competing goods. The Panel considers that these circumstances provided the Complainant with at least a colorable basis for bringing the Complaint.

The Panel has also considered the Complainant's decision to maintain its allegations following receipt of the Response and the Respondent's Additional Submissions. However, the Respondent's supporting evidence was not without limitations, and the Complainant was entitled to challenge its reliability and evidentiary weight and to maintain its reliance on the trademark-related PPC advertising.

Although the Complainant has ultimately failed to establish bad faith registration, the Panel does not consider that its conduct in bringing or pursuing the Complaint amounts to bad faith or an abuse of the administrative proceeding.

Accordingly, the Panel declines to make a finding of RDNH.

FINAL CONCLUSIONS

For the reasons outlined above, the Panel finds that the Complainant has established the first element of paragraph 4(a) of the Policy.

The Panel does not consider it necessary to make a conclusive finding on the second element of paragraph 4(a) of the Policy.

The Complainant has failed to establish that the domain name was registered in bad faith and has therefore not satisfied the third element of paragraph 4(a) of the Policy.

The Panel declines to make a finding of Reverse Domain Name Hijacking.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Rejected

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

1. **uyn.ai**: Remaining with the Respondent

PANELLISTS

Name	**Claire Kowarsky**

DATE OF PANEL DECISION 2026-11-08

Publish the Decision