

## ADMINISTRATIVE PANEL DECISION

Synopsys, Inc. v. 林藏 (Lin Zang)

Case No. D2023-5253

### 1. The Parties

The Complainant is Synopsys, Inc., United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is 林藏 (Lin Zang), China.

### 2. The Domain Names and Registrar

The disputed domain names <synopsys.team> and <synopsys.world> are registered with Name.com, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 18, 2023. On December 19, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <synopsys.world>. On December 20, 2023, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name <synopsys.world> which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on December 21, 2023, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on December 26, 2023 and requested that the disputed domain name <synopsys.team> be added to the Complaint. On January 3, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <synopsys.team>. On January 10, 2024, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 11, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 31, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 2, 2024.

The Center appointed Knud Wallberg as the sole panelist in this matter on February 7, 2024. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant, Synopsys, Inc., is an internationally renowned United States corporation engaged in electronic design automation. The Complainant is a leading provider of solutions for designing and verifying advance silicon chips, and for designing the next-generation processes and models required to manufacture those chips.

The Complainant has registered its trademark SYNOPSIS (the "Mark") in numerous national jurisdictions, including United States Trademark Registration No. 1601521, which was registered on June 12, 1990; Chinese Trademark Registration No. 902457, registered on November 21, 1996; and European Union Trademark No. 000181172, registered on February 1, 1999.

The Complainant's main website is operated from "www.synopsys.com", but the Complainant has registered numerous other domain names containing "synopsys" (e.g., <synopsys.org>, <synopsys.co>).

The disputed domain name <synopsys.team> was registered on December 12, 2023, and the disputed domain name <synopsys.world> was registered on November 14, 2023.

At the time of filing of the Complaint, both the disputed domain names resolved to active websites displaying Synopsys logo and the same color-scheme as the Complainant's official website, and inviting visitors to log in to their account or to register an account.

The disputed domain name <synopsys.team> has also been used to send fraudulent emails pretending to be from the Complainant.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant contends that the inclusion of the Complainant's trademark in its entirety in the disputed domain names is sufficient to establish identity between the disputed domain names and the Complainant's SYNOPSIS pursuant to paragraph 4(a)(i) of the Policy.

The Complainant further contends that the Respondent lacks any rights or legitimate interests in the disputed domain names. The Respondent is not a licensee of the Complainant nor is the Respondent affiliated with the Complainant in any way. In addition, the Respondent cannot assert that prior to any notice of this dispute it was using, or had made demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services, that the Respondent is not commonly known by the disputed domain names, and that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain names, in accordance with paragraph 4(c) of the Policy.

The Complainant finally contends that the Respondent has registered and used the disputed domain names in bad faith in accordance with paragraph 4(a)(iii) of the Policy. As a result of the continued international use of the Complainant's SYNOPSIS trademark for more than 30 years, it has acquired considerable goodwill and renown throughout the world, and thus the Respondent cannot credibly argue that it did not have prior knowledge of the Complainant's trademarks at the time of registration of the disputed domain names in November and December 2023. The Complainant infers that the Respondent's use of the disputed domain names is fraudulent in nature, since the Respondent appears to have used the disputed domain name <synopsys.team> as part of a fraudulent phishing scheme whereby members of the public are approached with fictitious job offers.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of the trademark and service mark SYNOPSIS for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, here "teams" and "world", may bear on assessment of the second and third elements, the Panel finds the addition of such terms do not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Therefore, the Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names.

In addition, the Panel notes that the disputed domain names have been used for websites that reproduce the Complainant's device trademark together with a request for Internet users to either log into their account or to register an account, which per se indicates a likely attempt to commit fraud against the Complainant and to confuse unsuspecting Internet users. This is underlined by the fact that at least the disputed domain name <synopsys.team> has been used as part of a fraudulent phishing scheme whereby members of the public are approached with fictitious job offers with the Complainant. Such use cannot give rise to rights or legitimate interests for the Respondent in the disputed domain names.

Based on the available record, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity, here as part of impersonating websites and a phishing scheme whereby members of the public are approached with fictitious job offers with the Complainant constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

Based on the available record, the Panel finds the third element of the Policy has been established.

### **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <synopsys.team> and <synopsys.world> be transferred to the Complainant.

*/Knud Wallberg/*

**Knud Wallberg**

Sole Panelist

Date: February 28, 2024