

ADMINISTRATIVE PANEL DECISION

Juniper Networks, Inc. v. John Ricketts
Case No. D2024-4640

1. The Parties

Complainant is Juniper Networks, Inc., United States of America (“United States”), represented by Hanson Bridgett LLP, United States.

Respondent is John Ricketts, United States.

2. The Domain Name and Registrar

The disputed domain name <juniper.net> (the “Domain Name”) is registered with Gandi SAS (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 11, 2024. On November 12, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On November 12, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent and contact information in the Complaint. The Center sent an email to Complainant on November 14, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on November 16, 2024.

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 Respondent of the Complaint, and the proceedings commenced on November 20, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 10, 2024. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on December 13, 2024.

The Center appointed Robert A. Badgley as the sole panelist in this matter on December 20, 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

According to Complainant:

“Complainant Juniper, founded in 1996, is a global leader in the development and marketing of customized, next-generation networking hardware and software and related goods and services. Juniper’s customers include the world’s largest and most influential service providers and enterprise customers. Juniper delivers reliable and secure networking technology to its customers, including network operators, users such as individual devices, machines, applications, microservices and data stores. In particular, Juniper’s cloud-driven, Artificial Intelligence (‘AI’) native technology simplifies network operations and meaningfully improves end-user experience by proactively resolving problems.”

“Juniper’s products include networking hardware including advanced, enterprise-grade routers, switches, network access points, and gateways. Juniper also offers a range of associated software and software services which operate in conjunction with its hardware products as well as generally to provide customers advanced network-management functionality, automated widearea networking, AI-driven enterprises, and cloud-ready data centers. Juniper’s software includes systems such as JUNOS, MARVIS, and MIST, which provide advanced, AI-driven control and monitoring of customer networks.”

“Due to Juniper’s promotional efforts, and the success of Juniper’s products and services, the JUNIPER trademark has achieved broad recognition among the consuming public. In 2023 alone, Juniper’s net revenues were over \$5.5 billion. Juniper operates not only in the United States but offers its hardware, software, and other solutions around the world, including for some of the world’s biggest network and cloud providers. Juniper’s customers include telecommunications service providers, cloud providers, government and non-profit entities and 6 21318315.1 infrastructure providers, educational and healthcare institutions, retail and manufacturing, and many others—including, as just a representative example, AT&T, Seagate, Ricoh, ServiceNow, The George Washington University, and government entities such as the State of Oklahoma and the City of Philadelphia.”

Complainant holds various registrations for the marks JUNIPER NETWORKS and JUNIPER, including: United States Patent and Trademark Office (“USPTO”) Reg. No. 2,255,921 for JUNIPER NETWORKS, registered on June 22, 1999; and USPTO Reg. No. 4,122,106 for JUNIPER, registered on April 3, 2012.

Complainant has owned the domain name <juniper.net> since August 8, 1996, and has used that domain name to host its commercial website offering its technology services.

The Domain Name was registered on June 4, 2024. The Domain Name resolves to an error page.

The Whois information associated with the Domain Name indicates that Respondent’s physical address – which lacks a street address – shows the nonexistent town of “Freeway, New York”.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) 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.

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 name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Panel finds that Complainant has rights in the mark JUNIPER through registration and use demonstrated in the record. The Panel also finds that the Domain Name is confusingly similar to that mark. Notwithstanding the additional "n" in the Domain Name, the JUNIPER mark remains recognizable within the Domain Name.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or 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) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes, on the undisputed record here, that Respondent lacks rights or legitimate interests in respect of the Domain Name. Respondent has not come forward to articulate any bona fide basis for registering the Domain Name, and has not disputed the allegations and evidence presented by Complainant. Given the duration of Complainant's use of the JUNIPER mark and the apparent degree of the mark's renown acquired by Complainant in its industry, and given the fact that the Domain Name constitutes a typo rather than an actual word, the Panel cannot conceive of any legitimate reason why Respondent - who used a fake address in the Whois database - registered this Domain Name.

Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation", are evidence of the registration and use of the Domain Name in "bad faith":

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or
- (ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- (iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes, on the record provided here, that Respondent has registered and used the Domain Name in bad faith. The Panel incorporates its discussion above in the "Rights or Legitimate Interests" section. On this undisputed record, the Panel concludes that Respondent more likely than not had Complainant's mark in mind when registering the Domain Name.

Panels have found that the non-use of a domain name (including an error page or a "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. On this record, the Panel notes the longstanding reputation of Complainant's trademark in its industry, the composition of the Domain Name (a typo), and the fake address information provided by the Respondent in the Whois database, and finds that in the circumstances of this case the passive holding of the Domain Name does not prevent a finding of bad faith under the Policy.

Complainant has established Policy paragraph 4(a)(iii).

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 Domain Name <junniper.net> be transferred to Complainant.

/Robert A. Badgley/

Robert A. Badgley

Sole Panelist

Date: January 3, 2025