

ADMINISTRATIVE PANEL DECISION

Novalis Holdings Limited v. Raina Goswami, RG group LLC
Case No. D2025-1813

1. The Parties

The Complainant is Novalis Holdings Limited, Hong Kong, China, represented by Barley Snyder LLP, United States of America ("United States").

The Respondent is Raina Goswami, RG group LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <novalis-int.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 6, 2025. On May 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 7, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (UNKNOWN REGISTRANT) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 12, 2025, 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 May 15, 2025.

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 May 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 10, 2025.

The Center appointed Áron László as the sole panelist in this matter on June 16, 2025. 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 is a Hong Kong, China based company manufacturing and distributing vinyl flooring. Established in 1984, the company operates in North America, Europe, the Asia-Pacific region and Africa.

The Complainant is the owner, inter alia, of the following trademarks:

- United States trademark NOVALIS (word) No. 2680448 registered on January 28, 2003;
- Australian trademark NOVALIS (word) No. 1372470 registered on July 14, 2010;
- Canadian trademark NOVALIS (word) No. 1493562 registered on February 25, 2013.

The Complainant is the owner of the domain name <novalis-intl.com>.

The disputed domain name was registered on March 18, 2025. No content is available on the disputed domain name and it has been used for fraudulent purposes.

The Respondent is apparently located in the United States.

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 name.

Notably, the Complainant contends that the disputed domain name is based on, and prominently features, the Complainant's trademark. The disputed domain name is confusingly similar to the trademark in question, consisting of the trademark itself with only the addition of a hyphen and the letters "int".

With regard to the second element, the Complainant asserts that the Respondent has no rights or legitimate interests in relation to the disputed domain name. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The sole purpose of the Respondent registering and maintaining the disputed domain name is to operate an email server from which to send fraudulent emails to the Complainant's customers, attempting to redirect payment for the Complainant's invoices to the Respondent. An example of one of these fraudulent emails is attached to the Complaint. The Respondent has never been commonly known by the disputed domain name. The Respondent's use of the disputed domain name is not a legitimate noncommercial or fair use. It is being used for commercial gain, misleadingly diverting consumers and/or damaging the Complainant's trademark and business.

Regarding the third element, the disputed domain name was registered or acquired for the sole purpose of seeking to fraudulently redirect payment of invoices from the Complainant to the Respondent. It was registered to resemble the Complainant's trademark and domain name as closely as possible, in an attempt to confuse and mislead the Complainant's customers and others. The disputed domain name was registered substantially after the trademark was registered and put into use.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to decide a complaint based on the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Paragraph 4(a) of the Policy requires that a complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- i. the domain name registered by the respondent 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.

In view of the Respondent's failure to submit a Response, the Panel shall decide this administrative proceeding based on the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a), and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules.

The Panel may accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint wholly contains mere conclusory or unsubstantiated arguments. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the NOVALIS mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other term here, "-int" may bear on assessment of the second and third elements, the Panel finds the addition of such term does 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.

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.

Although 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 difficult 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 (although the burden of proof always remains on the complainant). 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 available record, the Panel finds 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 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 name such as those enumerated in the Policy or otherwise.

As the disputed domain name has been used for fraudulent purposes, it is not being used for a *bona fide* offering of goods or services. The Respondent is not commonly known by the domain name.

The Complainant submitted an email sent from an address ending with the disputed domain name. Furthermore, the disputed domain name in the email address differs by only one letter from a domain name used by the Complainant. The email contains the Complainant's logo. The email in question shows that someone has attempted to redirect payment of invoices from the Complainant to the Respondent in a fraudulent manner.

Panels have held that the use of a domain name for illegal activity here, claimed fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

The disputed domain name contains the Complainant's trademark in its entirety. The Complainant's trademark is not a generic word and has been registered as a trademark for more than 20 years before the disputed domain name was registered.

The Panel also notes that the Complainant submitted an email showing that someone had attempted to redirect payment of invoices from the Complainant to the Respondent in a fraudulent manner. The disputed domain name differs from a domain name used by the Complainant by only one letter. The email also contains the Complainant's logo. Therefore, the Panel concludes that the Respondent has registered and is using the disputed domain name to mislead internet users, particularly with regard to the origin of emails sent from addresses incorporating the disputed domain name.

Panels have held that the use of a domain name for illegal activity here, claimed fraud, 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 name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

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 name <novalis-int.com> be transferred to the Complainant.

/Áron László/
Áron László
Sole Panelist
Date: June 30, 2025