

## **ADMINISTRATIVE PANEL DECISION**

Grundfos Holding A/S v. Aleksandr Lukyanov  
Case No. D2025-3487

### **1. The Parties**

The Complainant is Grundfos Holding A/S, Denmark, represented by Patrade Legal ApS, Denmark.

The Respondent is Aleksandr Lukyanov, Russian Federation.

### **2. The Domain Name and Registrar**

The disputed domain name <grundfosprom.com> is registered with Registrar of Domain Names REG.RU LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on August 28, 2025. On August 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 29, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

On August 29, 2025, the Center informed the Parties in Russian and English, that the language of the registration agreement for the disputed domain name is Russian. On September 1, 2025, the Complainant filed an amended Complaint containing a request for English to be the language of the proceedings. The Respondent did not submit any comment on the Complainant's submission.

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 in English and Russian of the Complaint, and the proceedings commenced on September 4, 2025. In accordance with

the Rules, paragraph 5, the due date for Response was September 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 25, 2025.

The Center appointed Alissia Shchichka as the sole panelist in this matter on September 29, 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 global manufacturer and supplier of pumps and pumping systems for water, heating, and industrial applications.

The Complainant has evidenced to be the registered owner of numerous trademark registrations for GRUNDFOS, including, but not limited to, the following:

- Russian Federation Trademark Registration No. 30230, registered on August 30, 1965, for the word mark GRUNDFOS, in classes 7, 9 and 11; and
- International Trademark Registration No. 341863, registered on January 12, 1968, for the word mark GRUNDFOS, in classes 7, 9, 10 and 11.

The Complainant is also the owner of the domain name <grundfos.com>, registered on October 13, 1995, which corresponds to its official website.

The aforementioned trademarks and domain name were registered prior to the disputed domain name, which was registered on June 3, 2025. The disputed domain name resolves to a website claiming to be an official dealer of the Complainant. The website reproduces the overall look and feel of the Complainant's official website, prominently displays the Complainant's trademarks and logo, and offers pumps and accessories identical to those produced by the Complainant.

The Respondent, according to the disclosed Whois information for the disputed domain name, is located in the Russian Federation.

#### **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 Complaints asserts that the GRUNDFOS trademark is well known in connection with pumps and related equipment.

According to the Complainant, the disputed domain name is confusingly similar to the Complainant's GRUNDFOS trademarks, as it reproduces the entirety of the GRUNDFOS trademark.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, as (1) the Complainant has not authorized the Respondent to register or use any domain name incorporating the GRUNDFOS trademark; (2) the disputed domain name is not used in connection with a bona fide offering of goods or services. Instead, the Complainant submits that the Respondent falsely presents itself as associated with the Complainant, reproducing the Complainant's logos, trademarks, and overall website design to offer identical pumps and accessories for sale.

Finally, the Complainant argues that the Respondent has registered and is using the disputed domain name in bad faith. In particular the disputed domain name resolves to a commercial website prominently featuring the Complainant's GRUNDFOS trademarks and logo, and purporting to sell the Complainant's goods, thereby attempting to attract Internet users for commercial gain by creating a likelihood of confusion as to source, affiliation, or endorsement with the Complainant

The Complainant requests that the disputed domain name be transferred to the Complainant.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1. Preliminary Issue – Language of the Proceedings**

The language of the Registration Agreement for the disputed domain name is Russian. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

The Complaint has been submitted in English, and the Complainant requested that English be the language of the proceedings. It argues that it is a Danish company with no capacity to conduct administrative proceedings in Russian. Given that the Parties are located in entirely different regions of the world, and that English is the predominant language of international commerce and dispute resolution, the Complainant contends that English is the fair and appropriate choice for these proceedings.

The Center transmitted all case communications to the Respondent in both English and Russian, and invited the Respondent to comment on the language of the proceedings. The Respondent, however, did not submit any comments or Response. Had the Respondent filed a Response in Russian, the Panel would have considered it, but no Response was filed.

Having considered all relevant circumstances, including the absence of any objection, and the need to avoid undue delay or expenses by translating all materials for the Complainant, the Panel finds it appropriate to exercise its discretion under paragraph 11(a) of the Rules. The Panel concludes that conducting the proceedings in English is fair, reasonable, and efficient and that the Respondent will not be disadvantaged by this decision. Accordingly, the Panel determines that the language of the proceedings shall be English.

### **6.2. Substantive Issues**

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

#### **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 Panel finds the mark is recognizable 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 terms here, "prom" 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.

Indeed, the Complainant has confirmed that the Respondent is neither affiliated with, nor otherwise authorized or licensed by the Complainant to use the GRUNDFOS trademarks in connection with the disputed domain name or otherwise. Also, there is no evidence that the Respondent is commonly known by the disputed domain name. [WIPO Overview 3.0](#), section 2.3.

The disputed domain name resolves to a Russian-language website that prominently displays the GRUNDFOS mark and logo and includes statements such as “Grundfos: Официальный дилер с более чем 1000 позиций на складе” (translated from Russian: “Grundfos: official dealer with more than 1000 items in stock”), “Поставки промышленного оборудования Grundfos с быстрой доставкой по всей России и СНГ” (“Supply of Grundfos industrial equipment with fast delivery throughout Russia and the [Commonwealth of Independent States] “CIS”)), and “Почему мы — надежный партнер Grundfos” (“Why we are a reliable Grundfos partner”). The website footer further reproduces the Complainant’s logo and GRUNDFOS mark.

The Panel has considered whether the Respondent could be regarded as a reseller or service provider that may have legitimate interests in a disputed domain name under the criteria set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#). These criteria require that:

- (i) the respondent must actually offer the goods or services at issue;
- (ii) the respondent must use the website to sell only the trademarked goods or services;
- (iii) the website must accurately and prominently disclose the respondent’s relationship with the trademark holder; and
- (iv) the respondent must not try to “corner the market” in domain names that reflect the trademark.

In this case, the Respondent fails to satisfy these requirements. First, the Complainant maintains that the Respondent is not an authorized distributor of its products in the Russian Federation, nor has it been permitted to present itself as an official partner or dealer. The Respondent has provided no evidence to the contrary.

Second, the Respondent’s use of the Complainant’s trademarks - together with the overall appearance of its website, including statements implying factory warranties and official status - creates a misleading impression of affiliation or endorsement by the Complainant.

The website therefore does not “accurately and prominently disclose” the Respondent’s lack of relationship with the Complainant, as required under the Oki Data test. Instead, it appears designed to mislead Internet users into believing that the Respondent is an official dealer of the Complainant. Considering this, the Panel finds that the Respondent does not comply with the requirements of the Oki Data test.

Finally, the Panel finds that the Respondent’s website is deliberately designed to create confusion as to its association with the Complainant and its trademarks, in order to divert traffic, exploit the Complainant’s reputation for commercial gain. Such conduct can never be regarded as a bona fide offering of goods or services under the Policy. [WIPO Overview 3.0](#), section 2.4.

Accordingly, the Complainant has provided evidence supporting its prima facie claim that the Respondent lacks any rights or legitimate interests in the disputed domain name. The Respondent has not provided relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain name, and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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.

In the present case, the Panel observes that the Complainant's GRUNDFOS trademarks predate the Respondent's registration of the disputed domain name. The Complainant has operated for decades in the manufacture and supply of pumps and related equipment, thereby contributing significantly to the reputation of its GRUNDFOS trademark.

The Respondent deliberately included the Complainant's trademark in its entirety in the disputed domain name, together with the suffix "prom", which in Russian is a common abbreviation of "promyshlenny" (промышленный), meaning "industrial", thereby imparting a commercial and industrial connotation to the disputed domain name and its intended use. The corresponding website prominently displays the GRUNDFOS trademarks and logo, reproduces the look and feel of the Complainant's official site, and presents itself as an "official dealer" offering "genuine Grundfos products" and "factory warranties". These factors clearly demonstrate that the Respondent was aware of the Complainant's rights and business at the time of registering the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

The Respondent's use of the Complainant's trademark and logo, and a reference to the "official dealer" confirms that the disputed domain name was deliberately chosen to create an impression of affiliation with the Complainant. In the Panel's view, the Respondent has intentionally sought to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website or the products offered thereon. Pursuant to paragraph 4(b)(iv) of the Policy, such conduct constitutes evidence of registration and use of the disputed domain name in bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Panel finds that, in the circumstances of this case, the Respondent's registration and use of the disputed domain name constitute bad faith within the meaning of paragraph 4(b)(iv) of 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 <grundfosprom.com> be transferred to the Complainant.

*/Alissia Shchichka/*

**Alissia Shchichka**

Sole Panelist

Date: October 13, 2025