

## **ADMINISTRATIVE PANEL DECISION**

Solfex Limited v. Destiny Mark, Infinity Design  
Case No. D2025-3495

### **1. The Parties**

Complainant is Solfex Limited, United Kingdom, represented by Freeths LLP, United Kingdom.

Respondent is Destiny Mark, Infinity Design, Nigeria.

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

The disputed domain name <solffex.com> is registered with OwnRegistrar, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 28, 2025. On August 29, 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 (Registration Private / Protected Data) and contact information in the Complaint. The Center sent an email communication to Complainant on September 1, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on September 2, 2025.

The Center verified that the Complaint together with the amendment to the 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 September 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 30, 2025.

The Center appointed Georges Nahitchevansky as the sole panelist in this matter on October 10, 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**

Complainant Solfex Limited, is a United Kingdom company in the renewable energy systems market. Complainant is part of the City Plumbing Group, a supplier of plumbing, heating, and bathroom products, whose parent is the Highbourne Group. Complainant owns and uses the mark SOLFEX in connection with its products and owns a trademark registration for the SOLFEX mark in the United Kingdom (registration No. UK00003039717) which issued to registration on May 2, 2014.

Complainant's SOLFEX products are sold on the City Plumbing Group website at "cityplumbing.co.uk". Complainant also owns the domain name <solfex.co.uk> which redirects to the City Plumbing Group website at "cityplumbing.co.uk".

Respondent appears to be based in Nigeria. Respondent registered the disputed domain name on April 24, 2024 and at some point thereafter started using such for a website promoting a trading company using the name "Solfex". The website described the Solfex company as "specialized in the export of used industrial machinery" and being "experts in the field of multicurrency trading and fundamental analysis of the Forex market." The disputed domain name does not currently resolve to an active website or page.

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

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

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

Notably, Complainant contends that it has rights in the SOLFEX mark on account of its use and registration of the SOLFEX mark in connection with its renewable energy systems. Complainant asserts that Respondent has no rights or legitimate interests in the SOLFEX name and mark as Complainant has not licensed or authorized Respondent to use the SOLFEX name or mark and Respondent registered the disputed domain name after Complainant had established rights in the SOLFEX mark. Lastly, Complainant argues that Respondent has registered and used the disputed domain name in bad faith as the disputed domain name is highly similar to Complainant's SOLFEX mark and "it is inevitable that Internet users will be confused into believing that the Domain has some form of association with Complainant." In that regard, Complainant notes that Respondent's website at the disputed domain name included Complainant's exact address and that at least one party had contacted Complainant believing that the website at the disputed domain name was connected to Complainant.

##### **B. Respondent**

Respondent did not reply to Complainant's contentions.

#### **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

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

Complainant has shown rights in its SOLFEX mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Here, the SOLFEX mark is fully incorporated and clearly visible in the disputed domain name. The addition of an extra letter "f" in the disputed domain name does not prevent a finding of confusing similarity between the disputed domain name and the SOLFEX mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

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 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 Complainant has established a *prima facie* case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Here, Respondent has used the disputed domain name in connection with a website that purports to be for a trading company that exports industrial machinery and which also offers financial trading. The website includes investment opportunities with "guaranteed profit and full return of your investment". On its face, the website seems suspect given the financial investment plans being offered require investments in various amounts for guaranteed returns from 24 hours (3 percent) to 72 hours (15 percent). Making the website more questionable is the fact that Respondent lists its contact address as the exact address of Complainant and its ultimate parent company Highbourne Group. Moreover, the Panel notes that in several sections of the website, including the "About Us" section, Respondent refers to itself as "Solfex" with only a single "f".

Given Respondent's failure to appear to justify its actions, it appears to the Panel that the disputed domain name is more likely than not based on Complainant's SOLFEX mark and that such is being used to attract web users to a website that is meant to lure users into making investments (that may in fact be part of a scheme to defraud unsuspecting users) or at least to legitimize Respondent's alleged "Solfex" company – particularly with the use of Complainant's exact address. Such use of the disputed domain name is not legitimate. [WIPO Overview 3.0](#), section 2.5.3.

The Panel finds the second element of the Policy has been established

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

The Panel notes that, for 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.

Here, given Respondent's failure to appear in this proceeding, it appears more likely than not that Respondent's registration and use of the disputed domain name is based on Complainant's SOLFEX mark and has been done opportunistically and in bad faith for the benefit or profit of Respondent. Respondent's website features Complainant's and its parent's exact address and the disputed domain name essentially copies Complainant's SOLFEX mark. Under these circumstances, and absent any evidence to the contrary, it is likely that Respondent was fully aware of Complainant and its SOLFEX mark when Respondent registered the disputed domain name and specifically chose to target Complainant in bad faith for Respondent's financial benefit.

The Panel thus finds that 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 <solfex.com> be transferred to Complainant.

*/Georges Nahitchevansky/*

**Georges Nahitchevansky**

Sole Panelist

Date: October 23, 2025