

ADMINISTRATIVE PANEL DECISION

Nexim Italia srl v. Adam Maysonet, Insane Entertainment, LLC
Case No. D2025-3627

1. The Parties

The Complainant is Nexim Italia SRL, Italy, represented internally.

The Respondent is Adam Maysonet, Insane Entertainment, LLC, United States of America ("United States"), represented by John Berryhill, Ph.d., Esq., United States.

2. The Domain Name and Registrar

The disputed domain name <nexim.com> is registered with Network Solutions, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 6, 2025. On September 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 9, 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 (Perfect Privacy LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 10, 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 September 10, 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 September 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. On September 26, 2025, the Respondent requested the automatic four-calendar-day extension of the due date for Response under Paragraph 5(b) of the Rules. On September 29, 2025, the Center granted the requested extension for Response, and the new due date for it was fixed at October 12, 2025. The Response was filed with the Center on October 12, 2025.

With its Response, the Respondent requested a three-member panel and nominated three candidates. On October 13, 2025, the Center invited the Complainant to provide names and contact details of three candidates in order of preference to serve as one of the Panelists no later than October 18, 2025. The Complainant did not make any nominations within the time limit to do so fixed by the Center. On October 29, 2025, the Center notified the Parties that in accordance with paragraph 6(e) of the Rules, it will make the appointment from its published list of Panelists. On October 30, 2025, the Complainant filed an unsolicited supplemental filing and on October 31, 2025, it sent an email communication to the Center.

The Center appointed Assen Alexiev, Edoardo Fano, and John Swinson as panelists in this matter on October 31, 2025. The Panel finds that it was properly constituted. Each member of 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.

On November 11, 2025, the Panel issued its Procedural Order No.1, whereby it allowed the Complainant's supplemental filing dated October 30, 2025, and provided an opportunity to the Respondent to submit comments on the Complainant's supplemental filing. On November 14, 2025, the Respondent submitted its comments pursuant to Procedural Order No.1 on the Complainant's supplemental filing.

On November 14, 2025, the Complainant submitted a further unsolicited supplemental filing, and the Respondent replied to it on the same day. On November 17, 2025, the Complainant submitted a yet further unsolicited supplemental filing. On November 19, 2025, the Panel noted to the Parties that they had made supplementary submissions that had not been requested or authorized by the Panel and directed them not to make any further submissions unless invited to do so by the Panel.

4. Factual Background

The Complainant describes itself as a telecommunications and broadcast operator and CDN provider, offering connectivity and live transmission for global sports and media events in connection with telecommunications, broadcasting, Internet connectivity, and related services. The Complainant's official website is located at the domain name <nexim.it>, which is in the Italian language. The "Chi Siamo" (in English, "Who We Are") section of the website states that the Complainant operates 6 data centers in Italy and the United States, has a team of 20 professionals and more than 3,000 private and public clients in the world, including large companies and public administrations, and describes its activities in the following terms:

"Nexim is an Italian SME founded in 2018, specializing in advanced technological solutions for connectivity and broadcasting. The Connectivity division, active since its inception, offers customized telecommunications services, ensuring high performance, business continuity, and maximum reliability thanks to a proprietary network and cutting-edge technologies.

Since 2021, with the birth of the Broadcasting division, Nexim has established itself as a reference technology partner for the Media sector, supporting television broadcasters, event agencies, production studios and streaming platforms with high-performance infrastructures, managed services and customized solutions for the entire audiovisual workflow."

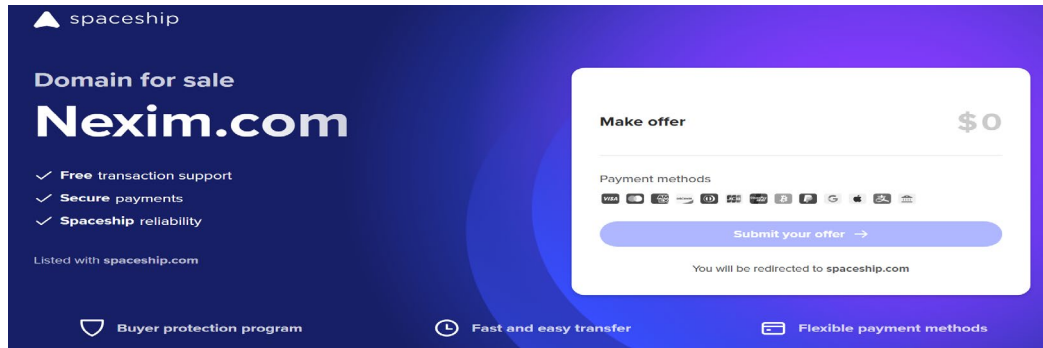
(translation from Italian)

The Complainant is the owner of the Italian trademark **Nexim** with registration No. 302021000082415, registered on May 27, 2022 for services in International Classes 35, 38, 41, and 42 (the "NEXIM trademark").

The Respondent is a domain name investor.

The disputed domain name was previously registered on June 9, 1999 by a third party. The Respondent acquired the disputed domain name at a NameJet public auction on July 31, 2025 for the price of USD 4,911.

The disputed domain name currently resolves to a Spaceship.com “For Sale Page” with the following appearance and content:



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.

The Complainant submits that the disputed domain name is identical to its NEXIM trademark. It states that it has used the NEXIM trademark extensively in commerce for many years in connection with telecommunications, broadcasting, Internet connectivity, and related services, and maintains that its NEXIM trademark has become a distinctive identifier that consumers and industry stakeholders associate with the Complainant's goods and services on a national and international scale.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not affiliated with the Complainant and has never been authorized to use the NEXIM trademark. The Complainant submits that the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services, is not commonly known by the name “Nexim,” and has not acquired any trademark rights corresponding to the disputed domain name. The Complainant adds that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name but is passively holding it.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that the Respondent registered the disputed domain name after the Complainant registered the NEXIM trademark and started using and promoting it internationally. The Complainant states that the Respondent has held the disputed domain name without using it, thus preventing the Complainant from reflecting its registered trademark in the corresponding domain name. According to the Complainant, the Respondent acquired the disputed domain name primarily for the purpose of selling or otherwise transferring it to the Complainant for valuable consideration in excess of its out-of-pocket costs directly related to the disputed domain name. The Complainant maintains that, by holding and potentially offering the disputed domain name for sale, the Respondent disrupts the Complainant's business and attempts to take unfair advantage of its established reputation and goodwill.

The Complainant also refers to a prior proceeding¹ under the Policy, where the Respondent was found to have acted in bad faith.

With its supplemental filing of October 30, 2025, the Complainant makes the following additional statements:

The Complainant maintains that “nexim” is not a random five-letter string of generic value, but a registered and globally-recognized trademark, identifying one of the most advanced telecommunications and broadcast operators in the world. The Complainant states that it is ISO-certified and operates non-stop through its Network Operations Center (NOC) and Security Operations Center (SOC) and submits that its widespread activity and recognition generate a well-established international reputation of the NEXIM trademark, which could not have been ignored by the Respondent.

The Complainant states that its trademark registration protects the word “nexim”, and not just a stylized logo. It adds that it has continuously used the NEXIM trademark and its visual variants throughout its holding structure, and that the logo referred by the Respondent is in active use, forming part of a unified global corporate identity. The Complainant notes that the use of different graphical styles under the same word mark is common and lawful and does not constitute abandonment of its trademark.

The Complainant states that the fact that the Respondent purchased the disputed domain name through a public auction on NameJet as part of a portfolio of “short, pronounceable five-letter .com domains”, held for resale, shows that the Respondent has engaged in a consistent speculative pattern of buying and reselling domain names for profit. According to the Complainant, this, combined with the exact match of the disputed domain name to the Complainant’s globally-known trademark, represents a speculative acquisition for the purpose of resale to the trademark owner or to a competitor, which is inconsistent with good faith and cannot confer rights or legitimate interests in the disputed domain name.

The Complainant states that during the auction process for the disputed domain name, GoDaddy directly contacted the Complainant to notify that the disputed domain name was available for purchase, suggesting it might otherwise be transferred to another bidder. According to the Complainant, this outreach demonstrates that the Respondent’s acquisition was commercially motivated, with knowledge of the value of the Complainant’s trademark and with an intent to sell or extract value from the legitimate rights holder in excess of the Respondent’s documented out-of-pocket costs directly related to the acquisition of the disputed domain name.

The Complainant further submits that the Respondent attempts to dilute the distinctiveness of the Complainant’s trademark by citing numerous third-party uses of “nexim” across unrelated jurisdictions. According to the Complainant, this argument is self-defeating, as the existence of minor, geographically limited entities using similar names only increases the likelihood of confusion and underscores the necessity for the global trademark holder to control the disputed domain name registered in the “canonical” “.com” generic Top-Level-Domain (“gTLD”).

Finally, the Complainant states that given that it operates in critical sectors such as broadcast, live event transmission, and CDN infrastructure, any unauthorized use of the disputed domain name poses serious operational and reputational risks. In the Complainant’s view, clients, partners, and vendors could mistakenly associate the disputed domain name with official operations of the Complainant, jeopardizing security and trust. The Complainant maintains that the passive state of the disputed domain name further enhances this risk, as it could at any moment be exploited for phishing, imitation, or misinformation related to the Complainant’s brand. In the Complainant’s submission, the only way to prevent such harm is to restore rightful control of the disputed domain name to the legitimate trademark holder.

¹ *American Airlines, Inc. v. Insane Entertainment, LLC c/o Adam Maysonet*, NAF Claim Number: FA0708001065242, for the domain name <americanairlinesvacations.com>

B. Respondent

The Respondent submits that this dispute concerns a widely-used pronounceable five-letter sequence, which it obtained at a substantial cost to add to its domain name portfolio of similar names, and which may be of legitimate purchase interest to a wide range of existing or future individuals or businesses who use, or may seek to use, the memorable term “nexim” for various purposes.

The Respondent agrees that the disputed domain name is identical to the Complainant’s trademark but asserts that the Complainant has not established the other two elements under the Policy.

The Respondent maintains that the Complainant has not submitted any evidence of use of its trademark in connection with any goods or services, or any evidence of its alleged goodwill or reputation among any consumers in any market. According to the Respondent, there is no evidence that the Complainant makes any sales, conducts any advertising, or has obtained any recognition in any industry, and the geographical extent of the Complainant’s business is entirely unknown.

The Respondent accepts that the Complainant carries out business of some kind as “Nexim” to a specialized technical market of some kind in Italy, and that as an owner of trademark rights in NEXIM, the Complainant is one of a number of parties who could equally satisfy the first element of the Policy. The Respondent adds that internationally, there are some 35 registered NEXIM trademarks owned by third parties, including an Indian company, a large Japanese corporation, and two German businesses.

The Respondent states that the Complainant has not submitted any evidence suggesting that the disputed domain name was registered or used for any purpose having to do with the Complainant’s trademark.

According to the Respondent, there is substantial evidence showing that it had no reason to believe that the Complainant, or anyone else, possesses exclusive rights in the term “nexim”, and there is evidence the Respondent registered the disputed domain name for purposes consistent with its pattern and history of registering short, pronounceable five-letter domain names.

The Respondent notes that the disputed domain name has been registered since 1999, but in these 25 years the Complainant was not concerned about whether someone was using it. The Respondent notes the DomainTools Whois history entry for July 2001, and then for May 2025, showing that for 25 years the disputed domain name was registered and used by a third party. The Respondent adds that the disputed domain name was due for renewal in 2025 and its then owner did not keep it, so it proceeded to auction at NameJet and was sold for USD 4,911. According to the Respondent, had the Complainant been interested in acquiring the disputed domain name, the Complainant could have participated in the auction, or perhaps did and failed to submit the winning bid.

The Respondent submits that the disputed domain name is a short, five-letter, pronounceable name. According to it, short, two-syllable domain names like it are valuable because they can be put to various uses and might be valuable to many potential concurrent users who either currently use some form of the term, or to an entrepreneur starting a new venture and seeking to use a short domain name. The perception that a “catchy” name like “nexim” might have a definable market value because it has a practical range of substantial non-infringing concurrent uses is borne out by the range of trademark interests and the fact that this term is appealing to a variety of parties for a wide range of purposes. The Respondent refers in this regard to 19 other domain names containing “nexim” at their second level, registered in different gTLDs and country code Top-Level-Domains (“ccTLDs”) by third parties, many of which also from Europe. According to the Respondent, absent use of the term “nexim” for purposes having something to do with the Complainant, none of these entities needs to obtain the Complainant’s permission or to register their own trademark.

The Respondent maintains that, absent a reputation to the extent that there is no plausible explanation for their registration, domain names corresponding to short catchy or memorable pronounceable terms or acronyms are legitimate objects of domain name aftermarket interest. The Respondent refers in this regard

to the decisions in *GUTEX Holzfaserplattenwerk H. Henselmann GmbH + Co. KG v. Mr. David Lahoti*, WIPO Case No. [D2025-1056](#); *Zydus Lifesciences Ltd. (formerly known as Cadila Healthcare Ltd.) v. Domain Privacy LTD*, WIPO Case No. [D2022-0880](#); *Endo Pharmaceuticals Inc. v. Tanzim Ahmad*, WIPO Case No. [D2021-0511](#); and *Advice Group S.p.A. v. yang jin jie*, WIPO Case No. [D2019-2829](#). The Respondent adds that this does not represent a license to freely register and trade in domain names which correspond to the marks of well-known entities with prominent and substantially exclusive marks, or where there is evidence to suggest that a respondent has deliberately sought to target or take advantage of a trademark owner's rights.

The Respondent maintains that the registration of the disputed domain name due to its inherent value characteristics is consistent with the acquisitions by the Respondent of other pronounceable five-letter domain names, which required substantial investments. The Respondent notes that in May 2025 it sold one of its domain names for a price of USD 12,995, after having originally acquired it in 2024 at auction for USD 705. The Respondent states that the price of domain names such as this one on the secondary market reflects the acquisition and carrying costs of the entire portfolio, since the sell-through rate across the portfolio is relatively low.

The Respondent denies having known of the Complainant when acquiring the disputed domain name and submits that the Complaint provides no basis for a finding that the Complainant has any substantial reputation in the Respondent's jurisdiction or anywhere else, of which the Respondent would or should have been aware when acquiring the disputed domain name. The Respondent adds that if it had consulted trademark databases, it would have been informed that there was no party on the planet with an apparent monopoly in the term "nexim".

The Respondent submits that it has never used the disputed domain name in any manner targeting the Complainant's trademark and has never attempted to sell the disputed domain name to the Complainant.

According to the Respondent, the fact that the Complainant possesses a trademark registration pre-dating the Respondent's acquisition of the disputed domain name and that the Respondent offers it for sale, does not show that the Respondent most likely acquired it because of the Complainant's trademark registration. The Respondent adds that the evidence shows that it has accumulated and traded in pronounceable five-letter domain names, and its acquisition of the disputed domain name was consistent with this pattern, which has nothing to do with the Complainant's trademark. The Respondent notes that various panels acting under the Policy have regularly found that the registration and trade in non-distinctive, pronounceable five-letter domain names is an acceptable practice, absent any actual evidence of targeting of a trademark.

With its submission filed pursuant to Procedural Order No.1, the Respondent makes the following comments:

The Respondent submits that the Complainant's supplemental filing consists of unsigned and uncertified assertions, supported by no evidence. The Respondent notes that Gptzero² rates the Complainant's supplemental filing as 100% AI-generated.

According to the Respondent, the Complainant still has not submitted any objective evidence of the scale, scope, size or reputation of its business. The Respondent adds that the Complainant claims to have done business in relation to several famous and well-known events but presents no evidence of how that has led to any widespread recognition of the Complainant's trademark. According to the Respondent, the Complainant apparently runs a small technical consultancy of some kind in a niche business-to-business market, and its allegations of having been engaged to provide services to major event productions is not in itself evidence of any significant reputation of the Complainant. The Respondent adds that various other businesses around the world, including in Italy, the United States, the United Kingdom, Japan, and several other European countries, use the name "Nexim" for concurrently non-infringing uses.

² An online AI content detector, available at www.gptzero.com

According to the Respondent, the only new fact introduced by the Complainant in its supplemental submission is an allegation that the Complainant was contacted by GoDaddy during the auction. There is however no supporting evidence, and the Complainant does not explain what such a communication from GoDaddy to the Complainant has to do with the Respondent. The Respondent submits that the claimed email from GoDaddy does not change the operative facts concerning the Respondent's motivation and intent for having registered the disputed domain name and for having offered it for public sale, where the Respondent has never targeted the Complainant. The Respondent notes that the disputed domain name was previously used by one of the many entities in various jurisdictions who use the term "Nexim" for various purposes, and none among them is the most prominent.

6. Discussion and Findings

6.1. Procedural issue – Supplemental filings by the Parties

On October 30, 2025, the Complainant filed an unsolicited supplemental filing. The Panel considered that the Complainant may not have anticipated some of the arguments and evidence submitted by the Respondent in its Response, and on November 11, 2025, the Panel issued its Procedural Order No.1, whereby it allowed the Complainant's supplemental filing dated October 30, 2025, and provided an opportunity to the Respondent to submit comments on it. On November 14, 2025, the Respondent submitted its comments pursuant to Procedural Order No.1 on the Complainant's supplemental filing.

On November 14, 2025, the Complainant, however, submitted a further unsolicited supplemental filing, and the Respondent replied to it on the same day. On November 17, 2025, the Complainant submitted a yet further unsolicited supplemental filing. On November 19, 2025, the Panel noted to the Parties that these supplemental submissions had not been requested or authorized by the Panel and directed them not to make any further submissions unless invited to do so by the Panel.

The Panel notes that these supplemental submissions by the Parties do not raise any relevant new facts or evidence on the substance of the dispute, and the Parties have not shown that they had been unable to address any relevant issue in their prior submissions due to some exceptional circumstances. Therefore, the Parties' supplementary submissions that followed the Respondent's comments on the Complainant's supplemental filing, filed on November 14, 2025 pursuant to Procedural Order No.1, are not admitted in the proceeding and will not be taken into account. For completeness, the Panel notes that even if these filings had been admitted, this would not have led to a different outcome of the dispute.

6.2. Substantive issues

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

The entirety of the NEXIM trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the NEXIM trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Considering that the Complainant has failed to establish that the disputed domain name was registered and is being used in bad faith, there is no need to address this section.

C. Registered and Used in Bad Faith

The evidence in the case file as presented does not indicate that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's NEXIM trademark.

As eloquently noted by one of the members of this Panel in a recent proceeding³ under the Policy, an asserting party needs to establish that it is more likely than not that the claimed fact is true, and it cannot meet its burden by simply making conclusory statements unsupported by evidence. To allow a party to merely make factual claims without any supporting evidence would essentially eviscerate the requirements of the Policy as both complainants and respondents could simply claim anything without any proof.

The Complainant states that it has used the NEXIM trademark extensively in commerce for many years in connection with telecommunications, broadcasting, Internet connectivity, and related services, and claims that as a result its NEXIM trademark has become a globally-recognized trademark and distinctive identifier that consumers and industry stakeholders associate with the Complainant as one of the most advanced telecommunications and broadcast operators in the world. There is however not a single piece of documentary or other credible evidence in the case file supporting these claims of the Complainant. If its assertions are indeed true, one would expect the Complainant to be able to submit actual evidence about the claimed duration, nature and geographical scope of its use of the NEXIM trademark, about the amount of sales that it has made under it, the nature and extent of its advertising, and the degree of actual consumer, industry, and media recognition of the trademark in different regions of the world and especially in the United States, where the Respondent is located. The absence of supporting evidence was noted by the Respondent in its Response, but although the Complainant replied to it with its supplementary filing that was admitted by the Panel with its Procedural Order No.1, the Complainant did not use this opportunity to submit evidence for its claims.

The only information provided by the Complainant is its allegations made in the course of this proceeding and the content of its official website, neither of which includes or refers to any external independent sources of information. The Complainant's website has only an Italian version, which does not appear as contributing to an increase in the popularity of the Complainant in regions where the Italian language is not widely used. The Complainant's website displays links to its profiles on LinkedIn⁴ (with 974 followers), Facebook⁵ (with 816 followers), Instagram⁶ (with 195 followers), and to its channel on YouTube⁷ (with a single subscriber). Although these profiles are in English, the number of their followers/subscribers is not of a scale that suggests a global popularity consistent with the claims made by the Complainant in this proceeding.

³ See *GUTEX Holzfaserplattenwerk H. Henselmann GmbH + Co. KG v. Super Privacy Service LTD c/o Dynadot, Tech Ops SyncPoint, Inc./ Mr. David Lahoti*, WIPO Case No. [D2025-1056](#)

⁴ <https://it.linkedin.com/company/neximglobal>

⁵ <https://www.facebook.com/neximglobalofficial/>

⁶ <https://www.instagram.com/neximglobalofficial/>

⁷ <https://www.youtube.com/@neximofficial>

The Complainant maintains that the Respondent has engaged in a repeated speculative pattern of buying and reselling domain names for profit, and notes that during the auction process for the disputed domain name, GoDaddy directly contacted the Complainant to notify that the disputed domain name was available for purchase, suggesting it might otherwise be transferred to another bidder. According to the Complainant, these circumstances, combined with the exact match of the disputed domain name to the Complainant's globally-known trademark, show that the Respondent's acquisition was commercially motivated, with knowledge of the value of the Complainant's trademark and with an intent to sell or extract value from the Complainant in excess of the Respondent's documented out-of-pocket costs directly related to the acquisition of the disputed domain name.

The Respondent submits that it acquired the disputed domain name due to its inherent value characteristics of a widely-used short pronounceable five-letter sequence, which may be of legitimate purchase interest to a wide range of existing or future individuals or businesses. The Respondent adds that it accumulates and trades in short pronounceable domain names, and the acquisition of the disputed domain name was consistent with this pattern, which has nothing to do with the Complainant's trademark. The Respondent also denies having known of the Complainant when acquiring the disputed domain name, and notes that if the Complainant was indeed contacted by GoDaddy during the auction, this communication from GoDaddy was made prior to the Respondent's acquisition of the disputed domain name and has nothing to do with the Respondent.

As discussed in section 3.1.1 of the [WIPO Overview 3.0](#), generally speaking, panels have found that the practice as such of registering a domain name for subsequent resale (including for a profit) would not by itself support a claim that the respondent registered the domain name in bad faith with the primary purpose of selling it to a trademark owner (or its competitor).

The Respondent has submitted evidence that there are many entities around the world that use "Nexim" as their trade name and domain name or as part of them, and that there are many other third-party trademark registrations for "NEXIM" in different jurisdictions for different classes of goods or services. This supports the Respondent's arguments that the disputed domain name can be regarded as a domain name that may legitimately be put to use by various entities for various purposes unrelated to the Complainant. There is also evidence that the Respondent has registered a dozen other pronounceable five-letter domain names, which supports its explanation that the acquisition of the disputed domain name was part of a pattern of business activities unrelated to the Complainant.

At the same time, there is no evidence showing that the Respondent has somehow targeted the Complainant with its acquisition and subsequent offering for sale of the disputed domain name. The notice sent by GoDaddy to the Complainant that the disputed domain name will be put at an auction has not been provided by the Complainant, but in any case, the Complainant does not show or even allege that there is any relationship between GoDaddy and the Respondent, or that the Respondent somehow knew about GoDaddy's notice prior to the auction for the disputed domain name. The Respondent has not contacted the Complainant with an offer to sell the disputed domain name, and the webpage to which it resolves only states that it is for sale and does not in any way refer to the Complainant or to its trademark.

Considering the above, there is no evidence supporting a conclusion that the Respondent must have been aware of the Complainant at the time it acquired the disputed domain name, and no evidence that it is likely to have acquired the disputed domain name and then offered it for sale with the Complainant's trademark in mind.

The fact that in a previous proceeding under the Policy the Respondent has been found to have acted in bad faith in respect of a different domain name does not change the above conclusions, as the Panel has not been made aware of any connection between the two disputes, and each case has to be decided according to its merits.

Therefore, the Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Assen Alexiev/

Assen Alexiev

Presiding Panelist

/Edoardo Fano/

Edoardo Fano

Panelist

/John Swinson/

John Swinson

Panelist

Date: December 1, 2025