

## **ADMINISTRATIVE PANEL DECISION**

Stylem sp. z o.o. (formerly Nerox sp. z o.o.) v. 1Star Ventures LLC  
Case No. DAD2025-0002

### **1. The Parties**

The Complainant is Stylem sp. z o.o. (formerly Nerox sp. z o.o.), Poland, internally represented.

The Respondent is 1Star Ventures LLC, United States of America (“United States”).

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

The disputed domain name <stream.ad> is registered with Andorra Telecom (the “.ad Registry”) through 101 DOMAIN GRS LTD (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 23, 2025. On April 23, 2025, the Center transmitted by email to the .ad Registry a request for registrar verification in connection with the disputed domain name. On April 24, 2025, the .ad Registry transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details of the Respondent.

The Center verified that the Complaint satisfies the formal requirements of the .ad Dispute Resolution Policy (“adDRP” or “Policy”), the Rules for .ad Dispute Resolution Policy (the “adDRP Rules”) and the Supplemental Rules of the WIPO Arbitration and Mediation Center for .ad (“WIPO adDRP Supplemental Rules”).

In accordance with the adDRP Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 29, 2025. In accordance with the adDRP Rules, paragraph 5, the due date for Response was May 19, 2025. The Respondent sent email communications to the Center on April 29, 2025 and on May 21, 2025. The Complainant submitted a reply to the Respondent’s communications on May 21, 2025.

The Center appointed Jane Seager as the panelist in this matter on June 4, 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 adDRP Rules, paragraph 7.

On June 16, 2025, the Respondent sent a further email communication to the Center. On June 24, 2025, the Complainant sent an email to the Center regarding possible settlement. On June 25, 2025, the Center invited the Respondent to comment on the Complainant's communication with a view to possible suspension of the proceeding. On July 4, 2025, the Complainant contacted the Center noting that settlement did not appear to be possible and requesting that the Panel proceed to render its decision. The Respondent sent a further email communication to the Center the same day.

#### **4. Factual Background**

Established in 2015, the Complainant is a Polish limited liability company. The Complaint contains no information regarding the Complainant's activities.

The Complainant is the owner of Andorran Trademark Registration No. 39232, STREAM, registered on October 5, 2018, registered in relation to goods and services in Class 42, Internet services.

The disputed domain name was registered on October 24, 2024. The disputed domain name resolves to a web page provided by the Registrar that states "The future home of... stream.ad". The web page includes a link for the owner of the domain name to sign in and manage the domain name, as well as a link where Internet users may inquire about the purchase of the disputed domain name, which redirects to a domain acquisition and brokerage service at "www.101domain.com".

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

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

The Complainant asserts rights in the trademark STREAM. The Complainant submits that the disputed domain name is identical to the Complainant's trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant argues that the Respondent is not making use of the disputed domain name in connection with a bona fide offering of goods or services. The Complainant asserts that the Respondent is not commonly known by the disputed domain name, nor has the Respondent received any authorization to use the Complainant's STREAM trademark. The Complainant observes that the disputed domain name resolves to a web page inviting inquiries for the purchase of the disputed domain name, suggesting an intent to sell the disputed domain name rather than to use it in good faith.

The Complainant submits that the disputed domain name was registered after changes were made to the ".ad" eligibility requirements, with the intent of "exploiting a valuable identifier that had previously been under trademark-based restrictions." The Complainant notes that the disputed domain name resolves to a landing page that offers no content or services other than a link to inquire about the possible purchase of the disputed domain name. The Complainant submits that it made good faith attempts to contact the Respondent prior to submission of the Complaint, but the Respondent did not reply.

The Complainant further states that the disputed domain name was previously held by the Complainant's predecessor in interest (Nerox sp. z o.o.), and that due to an internal rebranding process the Complainant inadvertently failed to renew the disputed domain name.

The Complainant requests the transfer of the disputed domain name.

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

The Respondent argues that the disputed domain name was acquired legitimately and that its registration of the disputed domain name does not violate any policies or eligibility requirements for registration of ".ad" domain names.

The Respondent claims that the disputed domain name was intended for a project called “LinkStream”, which has been in development for nearly two years.

The Respondent emphasizes the descriptive nature of the term “stream”. The Respondent requests that the Complaint be withdrawn and expresses a willingness to engage in further discussions, including regarding the possible sale of the disputed domain name to the Complainant.

### **C. The Complainant’s Additional Communications**

In an unsolicited supplemental filing, on May 21, 2025, the Complainant argued that the Respondent’s non-use of the disputed domain name did not prevent finding of bad faith. The Complainant noted the Respondent’s assertions regarding its “LinkStream” project, and further noted that the domain name <linkstream.com> was offered for sale for USD 35,955, undermining the Respondent’s credibility insofar as plans for the “LinkStream” project were concerned. The Complainant notes that while the term “stream” may have descriptive meaning in English, the Complainant held a valid trademark registration for STREAM and reiterated that the disputed domain name was identical to the Complainant’s trademark. The Complainant argues that the Respondent’s claims regarding its planned use of the disputed domain name were unsubstantiated. The Complainant observes that the Respondent is engaged in a business of acquiring domain names for commercial resale. The Complainant notes that a good faith attempt to contact the Respondent was made prior to submission of the Complaint.

On May 25, 2025, the Complainant sent a further email communication to the Center noting that the disputed domain name was, at that time, redirecting to a parking page at “www.sedo.com”, where the disputed domain name was offered for sale with a purchase price of USD 9,500.

### **D. Further Communication from the Respondent**

On June 16, 2025, the Respondent sent a further email communication to the Center.

The Respondent clarified that its purchase of the disputed domain name was not done with malicious intent and asserted that its proposed use of the disputed domain name did not infringe on the Complainant’s intellectual property. The Respondent claimed that the disputed domain name was acquired as part of a two-year project funded with over USD 500,000, aimed at providing monetization opportunities for streaming content creators.

The Respondent went on to offer to transfer the domain to the Complainant, noting that the Respondent had more significant business priorities, hoping that the issue would be settled without further demands on the Respondent’s time.

## **6. Discussion and Findings**

### **6.1. Admissibility of Late-Filed Response**

The Panel notes that the primary Response submission was made on May 21, 2025, two days after the deadline for submission of the Response.

Paragraph 5(e) of the adDRP Rules provides that if a Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Paragraph 10(b) of the adDRP Rules states that the Panel shall ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case.

In this instance, the Respondent has not cited any exceptional circumstances as to why the Response was not submitted within the deadline for submission of the Response. Nevertheless, the Panel is of the view that the submission of the Response only two days outside of the deadline has not unfairly prejudiced the

Complainant nor has it delayed the Panel's decision. In the circumstances, the Panel considers it appropriate to admit the Respondent's late Response.

## **6.2. Admissibility of the Parties' Supplemental Filings**

The adDRP Rules contemplate the submission of a single Complaint and Response. Paragraph 12 of the adDRP Rules states that the Panel may request, in its sole discretion, further statements or documents from either of the Parties. The admissibility of unsolicited supplemental filings is subject to the Panel's discretion, provided under paragraph 10 of the adDRP Rules. In all such cases, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its Complaint or Response (e.g., owing to some "exceptional" circumstance).

In the present case, the Complainant's supplemental filing primarily seeks to reply to statements made in the Response, with which the Complainant does not agree. The Respondent's additional communication seeks to clarify the Respondent's intent when registering the disputed domain name, and also provide its consent to the transfer of the disputed domain name to the Complainant's control.

In the interests of fairness, and for the decision to reflect a complete record of the Parties' submissions, the Panel has determined to admit the Parties' additional submissions to the record.

## **6.3. Consent to Remedy**

The Panel notes that in its informal communication dated June 16, 2025, the Respondent provided consent to the transfer the disputed domain name to the Complainant. Despite the Respondent's apparent consent to remedy, in light of the Respondent's repeated denials of bad faith together with assertions regarding the Respondent's planned use for the disputed domain name, the Panel considers it appropriate to proceed to issue a substantive decision on the merits.

## **6.4. Substantive Matters**

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (i) The disputed domain name is identical or confusingly similar to a "Relevant Identifier" in which the Complainant has rights; and
- (ii) The disputed domain name was registered or has subsequently been used in bad faith.

Additionally, the Complainant must declare that, to the best of the Complainant's knowledge, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

### **A. Identical or Confusingly Similar**

For the purposes of paragraph 4(a)(i) of the Policy, "Relevant Identifier" includes "Trademarks validly registered in Andorra before the Oficina de Marques i Patents del Principat d'Andorra (OMPA) or in a foreign jurisdiction."

The Complainant is the owner of an Andorran trademark for STREAM, the registration details of which are provided above. The Panel finds the Complainant has established rights in a "Relevant Identifier" for purposes of the first element of the Policy.

The disputed domain name comprises the Complainant's STREAM trademark in its entirety without addition or alteration. The Panel finds that the disputed domain name is identical to the Complainant's STREAM trademark.

The Panel finds that the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy

## **B. Registered or Used in Bad Faith**

Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances that, if found by the Panel to be present, shall be evidence of the registration and/or use of a domain name in bad faith for the purposes of paragraph 4(a)(ii) of the Policy.

The Complainant's case is primarily focused on paragraph 4(c)(i), which refers to:

"circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to another person for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name"

As noted above, at the time of submission of the Complaint to the Center, the disputed domain name resolved to a web page provided by the registrar which invited the owner of the domain name to sign in and manage its domain account, below which appeared a link inviting Internet users to make an offer to buy the disputed domain name. The Panel further notes that, for a brief time, the Respondent appears to have listed the disputed domain name for sale with a purchase price of USD 9,500.

At the same time, the Panel notes that the disputed domain name is composed of a dictionary term "stream", with multiple meanings in English, and that the Respondent has made assertions regarding its planned use of the disputed domain name in connection with a streaming platform. While the Respondent's evidence supporting these assertions is limited to the degree that the Panel is not convinced that the Respondent has made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, the Respondent's assertions do speak to his intent at the time of registering the disputed domain name.

What is not apparent, from the very limited evidence submitted by the Complainant, is any awareness of the Complainant or its trademark right rights on the part of the Respondent when registering the disputed domain name. The Panel notes that the disputed domain name does appear to have been listed for sale via the domain name sales platform "www.sedo.com"; however, the Panel is unable to conclude based on that listing alone that the Respondent's primary purpose when registering the disputed domain name was to sell it. Rather, the Panel finds on balance that the Respondent likely registered the disputed domain name in light of its inherent value as a dictionary term with a view to using the disputed domain name for substantive purposes that did not seek to target the Complainant in any way.

Based on the evidence on record, the Panel finds that the Complainant failed to demonstrate that the Respondent registered the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name to another person for valuable consideration in excess of the Respondent's out-of-pocket costs directly related to the disputed domain name, in bad faith pursuant to paragraph 4(c)(i) of the Policy. The Panel has further considered the other circumstances listed in paragraphs 4(c)(ii) to 4(c)(iv) of the Policy and finds that none applies in the context of the present case.

The Panel finds that the Complainant has not satisfied the requirements of paragraph 4(a)(ii) of the Policy.

## **7. Decision**

For the foregoing reasons the Complaint is denied.

*/Jane Seager/*

**Jane Seager**

Panelist

Date: July 10, 2025