ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

ARTEMIDE S.P.A. v. NVA Online Advertising B.V.
Case No. DNL2026-0026

1. The Parties

The Complainant is ARTEMIDE S.P.A., Italy, represented by Convey Srl, Italy.

The registrant of the disputed domain name is NVA Online Advertising B.V., Netherlands (Kingdom of the) ("the Netherlands"), represented by Finnian & Columba, Belgium (the "Respondent").

2. The Domain Name and Registrar

The disputed domain name <artemide.nl> is registered with SIDN through NVA Online Advertising B.V.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 27, 2026. On May 28, 2026, the Center transmitted by email to SIDN a request for registrar verification in connection with the disputed domain name.

On May 29, 2026, SIDN 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 and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 1, 2026, providing the information disclosed by SIDN, and inviting the Complainant to amend the Complaint in this light. The Complainant filed an amended Complaint on June 4, 2026.

The Center verified that the Complaint as amended satisfies the formal requirements of the Dispute Resolution Regulations for .nl Domain Names (the "Regulations").

In accordance with the Regulations, articles 5.1 and 16.4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 9, 2026. In accordance with the Regulations, article 7.1, the due date for Response was June 29, 2026. The Response was filed with the Center on June 27, 2026.

On July 3, 2026, SIDN commenced the mediation process. On July 16, 2026, SIDN informed parties that the dispute had not been solved in the mediation process.

The Center appointed Richard C.K. van Oerle as the panelist in this matter on July 23, 2026. The Panel finds that it was properly constituted. The Panelist has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Regulations, article 9.2.

4. Factual Background

The following facts are undisputed.

The Complainant is a manufacturer of lighting products.

The Complainant is the owner of numerous international and national trademark registrations, which either consist of or contain the denomination ARTEMIDE, inter alia:

- European Union Trademark Registration, wordmark ARTEMIDE, registration No 006706626, registered on June 2, 2009; [1]
- European Union Trademark Registration, wordmark ARTEMIDE, registration No 018304942, registered on December 23, 2020;
- International Trademark Registration, figurative mark ARTIMIDE, registration No 615521, registered on March 2, 1994, designating Algeria, Austria, Belarus, Benelux Office for Intellectual Property (where the Respondent is located), Bosnia and Herzegovina, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Egypt, Estonia, France, Germany, Hungary, Kazakhstan, Latvia, Liechtenstein, Lithuania, Monaco, Mongolia, Montenegro, Morocco, North Macedonia, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sudan, Switzerland, Ukraine, Uzbekistan, Viet Nam.

All registrations have been duly renewed and are still valid. The registrations will jointly be referred to, in singular, as the "Trademark".

SIDN informed the Center that the disputed domain name was first registered on February 10, 2025, and that the date of the current registration by change of registrant is February 10, 2025.

The disputed domain name used to resolve to a website that displayed content related to home décor and interior design and displayed multiple times an "ARTEMIDE" logo.

The Complainant sent a cease-and-desist letter on May 13, 2026, to the Respondent. Following receipt of the cease-and-desist letter, the Respondent altered the content of the website to which the disputed domain name resolved.

At the time of filing the Complaint, the disputed domain name resolved to a webpage that stated that it is for sale for a price of EUR 1,895 (ex VAT).

[1] Noting in particular the general powers of a panel articulated inter alia in article 10 of the Regulations, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision (see section 4.8 of the (WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1")). Accordingly, this Panel added reference to additional active trademarks found in online databases. While the Complaint is brought under the Regulations, and not the Uniform Domain Name Dispute Resolution Policy ("UDRP"), given the similarities between the two, it is well established that cases decided under UDRP are relevant to proceedings under the Regulations (see, e.g., Aktiebolaget Electrolux v. Beuk Horeca B.V., WIPO Case No. DNL2008-0050). The Panel considers UDRP precedents outlined in the WIPO Overview 3.1 relevant to the current proceedings, and will refer to it.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Regulations for it to become the registrant of the disputed domain name instead of the Respondent.

Notably, the Complainant contends the following.

According to the Complainant it is one of the world's most well-known lighting brands. Founded in 1960, the Complainant operates through 18 subsidiaries and boasts a distribution network that includes 14 single-brand showrooms in major cities worldwide. Artemide products are distributed in 107 countries. With production facilities in Italy and Hungary, a glassworks, and a Research and Innovation facility supported by state-of-the-art prototyping and testing laboratories, the group currently employs 595 people. Artemide lamps are internationally considered icons of contemporary design: they are exhibited in the major modern art museums and design collections around the world.

The Complainant has rights in a trademark protected under Dutch law, and the disputed domain name is identical to the Trademark in question. The disputed domain name incorporates the whole of the Complainant's Trademark ARTEMIDE and the fact that they include the country code Top-Level Domain ".nl" does not affect the confusing similarity.

The Respondent is not a licensee, authorized agent of the Complainant or in any other way authorized to use the Complainant's Trademark. Specifically, the Respondent is not an authorized reseller of the Complainant and has not been authorized to register and use the disputed domain name. The Complainant concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant submits that the Respondent registered the disputed domain name in bad faith because the Trademark had been registered and extensively used for many years before the disputed domain name was registered in 2025. Given the Trademark's distinctiveness, the Complainant's activities since 1960, and its worldwide promotional efforts, the Respondent could not reasonably have been unaware of the Complainant's rights.

The website associated with the disputed domain name initially featured home décor and interior design content, namely in the same classes of goods and services in which the Complainant holds registered trademark rights and prominently displays an ARTEMIDE logo highly similar to the figurative Trademark. The Complainant argues that this use of the ARTEMIDE Trademark, combined with the incorporation of the Trademark in the disputed domain name, demonstrates the Respondent's knowledge of the Trademark and supports a finding of bad faith.

The Complainant submits that the Respondent has previously been involved in similar domain name disputes resulting in findings of bad faith, including a case in which a domain name corresponding to a well-known third-party trademark was offered for sale at a price exceeding out-of-pocket costs. According to the Complainant, this demonstrates a pattern of registering domain names corresponding to third-party trademarks and offering them for profit.

The Complainant further notes that the disputed domain name was registered immediately after the expiry of the applicable quarantine period, during which the Complainant could renew its previous registration. It argues that this timing indicates opportunistic conduct aimed at taking unfair advantage of the Complainant's trademark rights.

The Complainant also states that the Respondent has registered almost 50,000 domain names, the majority of which it considers abusive and infringing third-party trademarks, further supporting its allegation of bad faith.

After the Complainant sent a cease-and-desist letter on May 13, 2026, requesting cessation of the alleged infringement and transfer of the disputed domain name, the Respondent changed the website content. The previous home décor content and ARTEMIDE logo were removed, and the disputed domain name was instead offered for sale for EUR 1,895, a price which the Complainant contends substantially exceeds reasonable registration and maintenance costs. The Complainant submits that this subsequent conduct further demonstrates an attempt to profit from its Trademark.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Regulations.

The Respondent contends that it is a company that has been active for more than ten years in the fields of online advertising, content management, and domain names. In this capacity, the Respondent registers, purchases, and sells domain names. As part of these business activities, the Respondent registered the disputed domain name on February 10, 2025.

The Respondent only became aware of the Complainant on May 13, 2026, through the receipt of the cease and desist letter. Prior to this date the Respondent had never been contacted by the Complainant, had never offered the disputed domain name to the Complainant, and had never used the disputed domain name in connection with lighting products or other goods associated with the Complainant.

The Respondent submits that the Complainant has a limited presence in the Netherlands. According to the Complainant’s website, it has a small number of offline stores and five online stores or authorized web partners, all operating under their own commercial names rather than the name “Artemide”.

The Complainant has one showroom in Amsterdam, the Netherlands, operating as “Artemide Amsterdam” and using an email address “artemide.amsterdam@artemide.nl”. The Respondent suggests that “artemide.nl” may previously have been used in connection with this showroom. However, it states that it had no involvement in the circumstances under which the disputed domain name became available for registration in February 2025 and merely registered a domain name that was publicly available.

The Respondent further notes that the Complainant has no offices in the Netherlands and that its principal offices and operations, including its headquarters and marketing activities, are located in Italy.

The Respondent does not dispute that the disputed domain name is identical to the Complainant’s word mark.

The Respondent argues that the Complainant has failed to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. According to the Respondent, the Complainant relies essentially on the fact that the Respondent is not a licensee, reseller, or otherwise authorized by the Complainant. The Respondent contends that this is insufficient, particularly because the Complainant does not address the independent meaning of “Artemide”, nor provide evidence that its Trademark is well known in the Netherlands.

The Respondent submits that “Artemide” is the Italian name of Artemis, the ancient Greek goddess, and therefore has independent mythological, cultural, historical, and aesthetic significance. The Complainant itself is said to acknowledge this origin. The Respondent argues that it selected the term for these independent cultural and aesthetic associations and not to target the Complainant.

The Respondent further notes that “Artemide” is also used as a personal name, particularly in Italy. It argues that the term is not inherently or exclusively associated with the Complainant and that its use by another party does not, without evidence of targeting, establish a lack of rights or legitimate interests.

The Respondent points to various businesses and cultural organizations that use "Artemide" in their names, including a hotel, cultural associations, an art project, a public relations agency, and a rice variety. It submits that these examples demonstrate that the term has legitimate uses independent of the Complainant's trademark rights, while not disputing the validity of those rights.

The Respondent relies on previous domain name decisions concerning terms with independent cultural or mythological meanings, including "Amadeus", "Juno", and "Artemis". According to the Respondent, these decisions support the principle that trademark rights do not automatically prevent others from registering domain names consisting of terms with established historical, cultural, linguistic, or mythological meanings. Rather, evidence that the registrant specifically targeted the trademark owner is required.

The Respondent argues that no such evidence exists here and that "Artemide" is not an invented term uniquely associated with the Complainant.

The Respondent submits that holding and offering domain names for sale may constitute a legitimate domain investment activity where the domain name was not registered to target a trademark owner. It states that it was unaware of the Complainant when registering the disputed domain name, never contacted the Complainant, and never specifically sought to sell the disputed domain name to it.

According to the Respondent, the disputed domain name was registered as part of a broader portfolio because of its value as a memorable and culturally significant term. The possibility of resale was one, but not necessarily the only, purpose of the registration.

The Respondent further states that, before receiving notice of the dispute, it actively used the disputed domain name for a blog concerning interior design and related topics. It maintains that this use was unrelated to the Complainant and its products and that the blog was established before any communication from the Complainant.

The Respondent argues that this constitutes bona fide use or demonstrable preparations for such use before notice of the dispute. It also denies any intention to mislead Internet users, divert consumers, exploit the Complainant's reputation, or create an association with the Complainant, maintaining that its use was based on the independent cultural and aesthetic significance of "Artemide".

The Respondent submits that the Complainant bears the burden of proving bad faith and has failed to establish that the Respondent knew of, targeted, or registered the disputed domain name because of the Complainant or its trademarks. According to the Respondent, none of the circumstances identified in the Regulations as potential evidence of bad faith is present.

The Respondent denies that the disputed domain name was registered primarily to sell it to the Complainant or a competitor. The Respondent contends that it was not aware of the existence of the Complainant or its Trademark. There is no evidence that the Respondent has ever contacted the Complainant or a competitor at all, let alone to sell the disputed domain name for an excessive cost. The burden of proof of proving otherwise rests with the Complainant and no such evidence has been produced. The Respondent also denies that the disputed domain name was registered to prevent the Complainant from using it, or to disrupt the Complainant's business. It also denies any bad faith use through confusion or diversion of Internet users. The Respondent states that it was unaware of the Complainant and merely registered a domain name that had become publicly available. According to the Respondent there is no evidence of any targeting of the Complainant. "Artemide" is a mythological and culturally significant term with an independent meaning.

The Respondent disputes that the Complainant has established that its Trademark was well known in the Netherlands at the time of registration. It argues that the Complainant relies mainly on statements from its own website and evidence concerning a museum display in New York, United States of America, which, according to the Respondent, does not demonstrate a level of reputation from which knowledge by a Dutch domain name holder can be presumed.

The Respondent further argues that the Complainant overlooks the independent cultural and linguistic meaning of “Artemide” as the Italian name of the Greek goddess Artemis, as well as its use as a personal name and by third parties. It therefore submits that the Complainant cannot establish bad faith merely by asserting that its Trademark is extensively used or promoted.

The Respondent maintains that the central issue is whether it registered or used the disputed domain name with the Complainant or its Trademark specifically in mind. It submits that there is no evidence of such targeting. The Respondent was not active in the same business as the Complainant and argues that the Complainant’s high-end design lighting products serve a specialized market. It further contends that the independent meaning of “Artemide” as a mythological and culturally significant term makes a non-infringing purpose for the registration entirely plausible. The Respondent states that it did not know of the Complainant or its trademarks and never contacted the Complainant regarding a possible sale of the disputed domain name. In its view, absent evidence of targeting and of a sufficient reputation of the trademark in the Netherlands, a finding of bad faith is unwarranted.

The Respondent submits that it initially actively and transparently used the disputed domain name for a Dutch-language lifestyle and interior-design blog before receiving notice of the dispute. The website concerned living spaces, interior decoration, aesthetics, kitchens, and home design, but did not offer lighting products, advertise lamps, reproduce the Complainant’s products, or refer to the Complainant.

The Respondent argues that the website’s presentation was inconsistent with an intention to impersonate or target the Complainant. It describes the site as a general lifestyle and interior-design platform and notes that it contained no references to lighting, architectural lighting, or other elements specifically associated with the Complainant.

The Respondent also disputes the alleged similarity between its logo and the Complainant’s figurative trademark. It attributes any similarities to the use of broadly similar modern serif typefaces and maintains that the differences in typography, proportions, spacing, and presentation are significant.

The Respondent argues that offering a domain name for sale is not, in itself, evidence of bad faith and forms part of its legitimate domain investment and trading activities. It states that the disputed domain name was never specifically offered to the Complainant and that the Complainant was never approached regarding its purchase. According to the Respondent, the disputed domain name was registered as part of a broader portfolio because of its value as a memorable and culturally significant term. It further submits that seeking a profit from the resale of a domain name does not, by itself, establish bad faith, particularly where there is no evidence that the trademark owner was targeted.

The Respondent also notes that the disputed domain name does not contain pay-per-click links or misleading content and that its website transparently identifies the Respondent. If the offering for sale were considered passive holding, the Respondent argues that the relevant factors nevertheless support good faith, including the absence of evidence of trademark reputation, the Respondent’s transparent identity, its active response to the proceedings, and the absence of false contact details.

The Respondent disputes the Complainant’s reliance on a previous adverse domain name decision as evidence of a pattern of bad faith. It argues that each case must be decided on its own facts and that the circumstances of the earlier case were materially different, including the reputation of the trademark concerned.

The Respondent further disputes the suggestion that its large domain name portfolio demonstrates a pattern of abusive conduct. It argues that the examples identified by the Complainant consist primarily of descriptive or non-distinctive terms and do not, on their face, demonstrate targeting of third-party trademarks. The Respondent therefore submits that the evidence does not establish a pattern of cybersquatting or trademark targeting and that the present dispute should be determined on its own facts and evidence.

Accordingly, the Complaint does not satisfy the cumulative requirements of article 2.1 of the Regulations and should therefore be denied.

6. Discussion and Findings

Pursuant to article 2.1 of the Regulations, the Complainant must prove each of the following three elements:

a) the disputed domain name is identical or confusingly similar to: I) a trademark, trade name or geographical indication protected under Dutch law in which the Complainant has rights; or II) a personal name registered in the General Municipal Register (Gemeentelijke Basisadministratie) of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which the Complainant undertakes public activities on a permanent basis; and
b) the Respondent has no rights to or legitimate interests in the disputed domain name; and
c) the disputed domain name has been registered or 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, trade name or geographical indication protected under Dutch law, a personal name registered in the General Municipal Register ("*Gemeentelijke Basisadministratie*") of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which the Complainant undertakes public activities on a permanent basis and the disputed domain name.

The Complainant has shown rights in respect of a trademark for the purposes of the Regulations.

The entirety of the Trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the Trademark for the purposes of the Regulations.

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

B. Rights or Legitimate Interests

Article 3.1 of the Regulations 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 .NL 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.

Generally speaking, panels have accepted that aggregating and holding domain names (usually for resale) consisting e.g., of acronyms, dictionary words, common phrases, or unique/catchy or memorable terms (alone or in combination) can be bona fide and is not per se illegitimate under the UDRP where the respondent can show that the purpose of the registration was not to target a trademark. (WIPO Overview 3.1, section 2.1).

The Respondent submits that "Artemide" is the Italian name of Artemis, the ancient Greek goddess, and therefore has independent mythological, cultural, historical, and aesthetic significance, and that it has selected the term for these independent cultural and aesthetic associations and not to target the Complainant. The Respondent also notes that "Artemide" is a common personal name in Italy and points out that various businesses and cultural organizations in Italy use this name. It argues that the term is not inherently or exclusively associated with the Complainant and that its use by another party does not, without evidence of targeting, establish a lack of rights or legitimate interests.

Even assuming that "Artemide" has an independent mythological and linguistic meaning in Italian and is used as a personal name and as the name of various businesses and cultural organizations in Italy, this does not in itself establish that the Respondent has a legitimate interest in the corresponding ".nl" domain name. The relevant question remains whether, in the circumstances of the case and from the perspective of the Dutch Internet public, the Respondent's registration and use were genuinely based on the disputed domain name's independent meaning rather than on the Complainant's Trademark.

When deciding whether the Respondent has rights or legitimate interests in the disputed domain name, this Panel will consider the following:

- the record does not include any indication that the Respondent has any relevant trademark or trade name rights regarding the term "Artemide". The Complainant has not licensed or otherwise permitted the Respondent to use the Trademark;
- the Respondent explains why he chose the name "Artemis", but did not explain why he chose the Italian translation of this name specifically for a ".nl" domain name;
- the content of the website the disputed domain name initially resolved to did not in any way relate to the ancient Greek goddess Artemis (cfr WIPO Overview 3.1, section 2.10);
- the website the disputed domain name initially resolved to prominently displayed, multiple times, the word "Artemide" in a lay-out in a Didone typeface, which is the same style typeface as the typeface used for the Complainant's figurative Trademark. Since Internet users will not perceive both at the same time, this Panel finds that the overall impression is that the word "Artemide" in the lay-out as used by the Respondent on its website, is confusingly similar to the Complainant's figurative Trademark;
- the composition of the disputed domain name is identical to the Complainant's Trademark entirely, without any other terms added (except for the Top-Level Domain, that should be ignored), which carries a high risk of implied affiliation with the Complainant;
- the disputed domain name was registered immediately after the expiry of the applicable quarantine period, during which the Complainant could renew its previous registration;
- the disputed domain name is offered for sale for EUR 1,895, a price which exceeds reasonable registration and maintenance costs.

In view of all these facts and circumstances, considered jointly and interrelated, this Panel finds that it is more likely than not that the Respondent obtained the disputed domain name to take advantage of the Complainant's Trademark and as such that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Panel finds the second element of the Regulations has been established.

C. Registered or Used in Bad Faith

The Panel notes that, for the purposes of paragraph Article 2.1(c) of the Regulations, Article 3.2 of the Regulations establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith. It enumerates in Article 3.2 under a) that a domain name has been registered or is being used in bad faith if the domain name has been registered or acquired primarily for the purpose of selling, renting or transferring it to the complainant or to the complainant's competitors for valuable consideration in excess of the cost of registration.

The Panel finds, based on the evidence on record and considering the facts set forth in Section 6.B above, that the disputed domain name was registered or acquired primarily for the purpose of selling, renting or transferring it to the Complainant or to the Complainant's competitors for valuable consideration in excess of the cost of registration and has therefore been registered in bad faith.

To satisfy the requirement of Article 2.1 (c) of the Regulations, it is sufficient that the disputed domain name was registered in bad faith <u>or</u> is being used in bad faith. Unlike the UDRP, there is no cumulative requirement.

Now that it has been established that the disputed domain name was registered in bad faith, it is not necessary to examine whether it is also being used in bad faith. The requirement of Article 2(c) of the Regulations has been met.

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

7. Decision

For all the foregoing reasons, in accordance with articles 1 and 14 of the Regulations, the Panel orders that the Complainant becomes the registrant of the disputed domain name <artemide.nl> instead of the Respondent.

/Richard C.K. van Oerle/
Richard C.K. van Oerle
Panelist
Date: August 3, 2026