

ADMINISTRATIVE PANEL DECISION

Volvo Trademark Holding Aktiebolag v. Aleksandr Sheiko
Case No. D2025-0355

1. The Parties

The Complainant is Volvo Trademark Holding Aktiebolag, Sweden, represented by Zacco Sweden AB, Sweden.

The Respondent is Aleksandr Sheiko, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <volvoofop.com> is registered with Internet Domain Service BS Corp (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 29, 2025. On January 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 30, 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 (Domain Admin, Whois Privacy Corp.) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 30, 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 amendment to the Complaint on January 30, 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 the Respondent of the Complaint, and the proceedings commenced on February 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 25, 2025.

The Center appointed Andrew F. Christie as the sole panelist in this matter on March 3, 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 jointly and equally owned by AB Volvo and Volvo Car Corporation. It is the proprietor of numerous trademark registrations in many jurisdictions for the word trademark VOLVO, and licenses the rights to use these trademarks to its shareholders, AB Volvo and Volvo Car Corporation, in connection with their respective businesses. The Complainant's registrations for the word trademark VOLVO include United States Trademark No. 636129 (registered October 23, 1956), Russian Federation Trademark No. 36530 (registered September 16, 1968), and European Union Trademark No. 2347193 (registered January 28, 2003).

The Respondent registered the disputed domain name on August 19, 2024. The Complainant provided screenshots, taken on an unspecified date, showing that the disputed domain name redirected to a website at "www.equipment-parts.com". This website had a page with the heading "Volvo Prosis parts catalog online Autodata", text saying "Machinery model Volvo Prosis", and what appear to be pop-up advertisements for various consumer items unrelated to automobiles. Other pages of the website purport to offer parts for machinery made by entities other than the Complainant. As of the date of this decision, the disputed domain name does not resolve to an active location.

On January 8, 2025, the Complainant issued a cease and desist letter to the Respondent, requesting that the disputed domain name be taken offline and transferred to the Complainant. The Respondent did not respond to the cease and desist letter within the given time frame. At the time of filing the Complaint, the Complainant had not received any response.

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 contends that the disputed domain name is confusingly similar to a trademark in which it has rights on the following grounds. The disputed domain name includes the Complainant's trademark VOLVO. The addition of the term "ofop" at the end of the disputed domain name, which to the Complainant's knowledge has no proper meaning, does not prevent a finding of confusing similarity. The addition of the generic Top-Level Domain ("gTLD") ".com" does not have any impact on the overall impression of the dominant portion of the disputed domain name and is therefore irrelevant when determining the confusing similarity between the trademark and the disputed domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name on the following grounds, among others. To the Complainant's knowledge, no license or authorization of any kind has been given by the Complainant to the Respondent to register the trademark VOLVO as a domain name or otherwise, and the Complainant has found no information indicating that the Respondent is trading under a company name corresponding to the disputed domain name or that it has any other legal rights to the disputed domain name. The Respondent is not an authorized representative of the Complainant's products or services, and has never had a business relationship with the Complainant. There is a considerable risk that the trade public will perceive the disputed domain name as either owned by or otherwise connected to the Complainant. The Respondent is not using the disputed domain name in

connection with a bona fide offering of goods or services. Instead, the Respondent has intentionally chosen the disputed domain name based on the Complainant's trademark and fame, in order to generate traffic and income by redirecting the disputed domain name to a commercial website where the Respondent is distributing various Volvo catalogues and manuals without the authorization of the Complainant. On the website to which the disputed domain name redirects there is plenty of content or services relating to brands and trademarks other than those of the Complainant, and there is no disclaimer that accurately and prominently discloses the Respondent's relationship with the Complainant. It is not possible to identify the operator of the disputed domain name and the website because of a lack of tangible information on the website.

The Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith on the following grounds, among others. The Respondent registered the disputed domain name nearly a century after the Complainant first obtained registered trademark rights for VOLVO. The redirection of the disputed domain name to the website is an attempt by the Respondent to unfairly profit from the Complainant's rights, and supports a finding that the Respondent registered the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark.

B. Respondent

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

6. Discussion and Findings

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 a trademark or service mark for the purposes of the Policy. It is the owner of numerous trademark registrations for the word trademark VOLVO.

The entirety of the Complainant's trademark is reproduced within the disputed domain name. Although the addition of other terms (here, "ofop") 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. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy.

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.

The disputed domain name, incorporating the Complainant's well-known trademark, carries a risk of implied affiliation with the Complainant. The evidence establishes that the Respondent has used the disputed domain name to redirect to a website at which various of the Complainant's catalogues and manuals are distributed, without the authorization of the Complainant and without disclosure of the Respondent's lack of affiliation with the Complainant. Such use of the disputed domain name is not a bona fide offering of goods or services, and is not a legitimate noncommercial or fair use. Accordingly, such use does not confer on the Respondent rights or legitimate interests in the disputed domain name.

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.

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 notes that: (i) the Respondent registered the disputed domain name many decades after the Complainant first registered its VOLVO trademark; (ii) the disputed domain name incorporates the Complainant's trademark in its entirety, and merely adds a string with no distinguishing meaning; and (iii) the Respondent has used the disputed domain name to redirect to a website at which the Complainant's catalogues and manuals are distributed along with parts for machinery made by entities other than the Complainant. It is clear the Respondent registered the disputed domain name with knowledge of the Complainant's trademark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1. The evidence shows that the Respondent has used the disputed domain name in an intentional attempt to attract, for commercial gain, Internet users to a website by creating a likelihood of confusion with the Complainant's trademark. Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <volvoofop.com> be transferred to the Complainant.

/Andrew F. Christie/

Andrew F. Christie

Sole Panelist

Date: March 17, 2025