

## ADMINISTRATIVE PANEL DECISION

Ecolab USA Inc. v. wangchao hui  
Case No. D2025-0688

### 1. The Parties

The Complainant is Ecolab USA Inc., United States of America (“U.S.”), represented by Greenberg Traurig, LLP, U.S.

The Respondent is wangchao hui, China.

### 2. The Domain Name and Registrar

The disputed domain name <ecolabmybenefits.com> is registered with Realtime Register B.V. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 20, 2025. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 21, 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 (Not provided) and contact information in the Complaint.

The Center sent an email communication to the Complainant on February 24, 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 February 27, 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 March 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 25, 2025.

The Center appointed Simone Huser as the sole panelist in this matter on April 2, 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 an U.S. corporation established in 1923 and headquartered in Saint Paul, Minnesota. In 1986 the Complainant changed its company name to Ecolab, Inc. and has traded under this name since that date. It offers water, cleaning, hygiene, and infection prevention products and services in a wide variety of markets to customers in over 170 countries worldwide.

The Complainant holds several domain names containing the term “ECOLAB”, among them <ecolab.com> which hosts its main website, and a subdomain name <mybenefits.us.ecolab.com>.

The Complainant owns numerous trademark registrations worldwide, including:

- **ECOLAB**, International Trademark registration No. 1008102, registered on April 6, 2009, in international classes 1, 3, 4, 5, 7, 8, 9, 11, 21, 35, 37, 41, and 42;
- ECOLAB, International Trademark registration No. 1180255, registered on January 18, 2013, in international classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 20, 21, 22, 24, 25, 26, 27, 28, 30, 35, 37, 38, 40, 41, 42, 43, 44, and 45.

The Respondent did not file a Response, and not much is known about the Respondent.

The disputed domain name was registered on April 10, 2024.

According to the evidence submitted with the Complaint, the disputed domain name resolved to a website featuring a photograph of a woman and a QR code which, according to the Complaint, linked to a pornographic website. Following an abuse complaint filed by the Complainant to the Registrar of the disputed domain name the website content was subsequently taken down.

#### 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.

Notably, the Complainant contends as follows:

The disputed domain name is confusingly similar to the ECOLAB trademark in which the Complainant has rights, because it incorporates this trademark in its entirety, and the addition of the descriptive terms “my” and “benefits” is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The trademark ECOLAB has been extensively used to identify the Complainant and its products and services. The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods or services.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its well-known trademark ECOLAB at the time it registered the disputed domain name.

The Respondent is using the disputed domain name in bad faith, by diverting Internet traffic intended for the Complainant to a pornographic website.

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

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

The Panel finds the entirety of the mark is reproduced within the disputed domain name.

Although the addition of other terms such as here "my" and "benefits" may bear on assessment of the second and third elements, the Panel finds that in the present case the addition of such terms 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.

The addition of the generic Top-Level Domain ("gTLD") ".com" in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). See [WIPO Overview 3.0](#), section 1.11.1.

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 for a complainant to prove that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds 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.

There is no evidence that the Respondent, identified by the Registrar as "wangchao hui", is commonly known by the disputed domain name or the Complainant's ECOLAB trademark.

In addition, the use of the disputed domain name does not qualify as legitimate noncommercial use or a bona fide offering of goods or services. The disputed domain name incorporates the Complainant's trademark with the terms "my" and "benefits" which allude to the benefits/services offered by the Complainant. In this regard, the Panel notes that the disputed domain name is similar to the Complainant's subdomain name <mybenefits.us.ecolab.com> hosting a portal for the Complainant's employees. Moreover, the disputed domain name resolved to a website featuring a QR code which linked, according to the Complainant, to a pornographic website. These matters, taken together, and in the absence of any rebuttal by the Respondent, are sufficient to establish a prima facie case under the Policy that the Respondent has no rights or legitimate interests in the disputed domain name.

Based on the available record, 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.

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.

In the view of the Panel, noting that the Complainant's trademark predates the registration of the disputed domain name and considering that the Complainant's trademark is well known, it is inconceivable that the Respondent could have registered the disputed domain name without knowledge of the Complainant's trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The Panel finds that the Respondent has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by the Complainant.

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

## **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 <ecolabmybenefits.com> be transferred to the Complainant.

*/Simone Huser/*

**Simone Huser**

Sole Panelist

Date: April 16, 2025