

## **ADMINISTRATIVE PANEL DECISION**

Mölnlycke Health Care AB v. Callum Frost  
Case No. D2025-1384

### **1. The Parties**

The Complainant is Mölnlycke Health Care AB, Sweden, represented by Abion AB, Sweden.

The Respondent is Callum Frost, United States of America ("United States").

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

The disputed domain name <molnlycke.shop> is registered with Alibaba.com Singapore E-Commerce Private Limited (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 4, 2025. On April 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 7, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 16, 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 April 17, 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 April 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 27, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole 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 Rules, paragraph 7.

#### 4. Factual Background

The Complainant is a provider of medical solutions, specializing in wound care and surgical procedures, also developing and manufacturing high-quality, single-use surgical and wound care products. The Complainant was founded in 1849 in Sweden and presently counts with over 8,000 employees and EUR 2,064 million in annual net sales (2024).

The Complainant, in addition to being the registrant of the domain name <molnlycke.com>, used in connection with its corporate website, is the owner of the following, amongst hundreds of others (Annex 5 to the Complaint), trademark registrations:

- European Union Trademark Registration No. 005357082 for the word mark MÖLNLYCKE, in classes 3, 5, 10, 24, and 25, filed on April 1, 1996, and registered on September 15, 1999, subsequently renewed;
- International Trademark Registration No. 1230528 for the word mark MÖLNLYCKE, in classes 5, 10, and 25, registered on June 18, 2014, subsequently renewed; and
- United States Trademark Registration No. 7,001,082 for the word mark MÖLNLYCKE, in class 41, filed on October 13, 2020, and registered on March 14, 2023.

The disputed domain name was registered on March 27, 2025, and presently resolves to a parked webpage offering it for sale for USD 950.00.

#### 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 asserts to have become a well-known global company, marketing and selling its products worldwide, having acquired substantial and widespread reputation within the MedTech and Healthcare industries, also putting great effort into protecting its trademark against infringements and abuse.

According to the Complainant, the disputed domain name is confusingly similar to the Complainant's MÖLNLYCKE trademark, merely replacing the original letter "ö" to "o" due to technological limitations, what does nothing to alleviate the confusing similarity between the disputed domain name and the Complainant's trademark.

Furthermore, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name given that:

- (i) the Respondent does not have any rights in the MÖLNLYCKE trademark, nor is the Respondent a licensee of the Complainant; also not having the Complainant given the Respondent any permission to register its trademark as a domain name;
- (ii) there is no evidence of any legitimate use of the disputed domain name;
- (iii) the disputed domain name bears a high risk of implied affiliation with the Complainant and its trademark; and
- (iv) by using the disputed domain name solely in connection with its advertisement for sale for USD 950.00, the Respondent has failed to create a bona fide offering of goods or services under the Policy, or a legitimate noncommercial or fair use of the disputed domain name given that such use indicates that the Respondent's sole intention is to profit from or abuse the Complainant's trademark.

Furthermore, the Complainant asserts that the mere registration of a domain name that is identical or confusingly similar to an established trademark can by itself create a presumption of bad faith, consisting the current use of the disputed domain name a clear indication that the Respondent registered it for the purpose

of selling, renting, or otherwise transferring the disputed domain name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy sets forth the following three requirements which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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.

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

### **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 mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark 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**

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.

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 Respondent, in not formally responding to the Complaint, has failed to invoke any of the circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights to or legitimate interests in the disputed domain name. This entitles the Panel to draw any such inferences from such default as it considers appropriate pursuant to paragraph 14(b) of the Rules. Nevertheless, the burden of proof is still on the Complainant to make a prima facie case against the Respondent.

In that sense, and according to the evidence submitted, the Complainant has made a prima facie case against the Respondent that the Respondent has not been commonly known by the disputed domain name, and neither has the Complainant ever licensed or given the Respondent any permission to register its trademark as a domain name;

Also, the absence of any indication that the Respondent has rights in a term corresponding to the disputed domain name, or any possible link between the Respondent and the Complainant that could be inferred from the details known of the Respondent or the webpage relating to the disputed domain name, corroborate with the Panel's finding of the absence of rights or legitimate interests.

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.

The registration and use of the disputed domain name in bad faith are further corroborated in the present case in view of the following circumstances:

- (i) the composition of the disputed domain name, the well-known nature of the Complainant's trademark, the Complainant's registration and use of the domain name <molnlycke.com>, and the confusing similarity between the disputed domain name and said trademark indicate that the Respondent is most likely to have had the Complainant and its trademark in mind when registering the disputed domain name;
- (ii) the disputed domain name has been used in connection with a parked webpage offering it for sale for USD 950.00 which likely far exceed the costs involved in registering the disputed domain name; and
- (iii) the implausibility as to any good faith use to which the disputed domain name (entirely incorporating a well-known mark) may be put.

For the reasons stated above, the Respondent's conduct amounts, in this Panel's view, to bad faith registration and use of 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 <molnlycke.shop> be transferred to the Complainant.

*/Wilson Pinheiro Jabur/*

**Wilson Pinheiro Jabur**

Sole Panelist

Date: June 18, 2025