

## **ADMINISTRATIVE PANEL DECISION**

**Ecolab USA Inc. v. Buy Domain Asia, mesut erdogan, and Domain Admin**  
Case No. D2025-1868

### **1. The Parties**

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

The Respondents are Buy Domain Asia, Japan; mesut erdogan, Türkiye; and Domain Admin, United States.

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

The disputed domain names <ecolabaquaiq.com>, <ecolabdishiq.com>, <ecolabenergies.co>, <ecolabenergies.org>, <ecolabenergy.com>, and <ecolabsupervisor.com> are registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 9, 2025. On May 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REDACTED FOR PRIVACY (DT), Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 16, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on May 22, 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 Respondents of the Complaint, and the proceedings commenced on May 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on July 16, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on June 25, 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 United States based global sustainability provider offering water, cleaning, hygiene, and infection prevention products and services, serving millions of customers in the food, energy, healthcare, life sciences, industrial, hospitality, and retail markets, with annual sales of approximately USD 16 billion as of 2024. The Complainant is publicly traded on the New York Stock Exchange (NYSE) under the symbol ECL with a market capitalization of over USD 75 billion as of March 2025.

The Complainant provides its products and services under the ECOLAB brand in more than 170 countries and owns over 1,300 trademark registrations worldwide for or incorporating ECOLAB, such as the following:

- the United States trademark number 3965037 for ECOLAB (word), filed on July 28, 2010, registered on May 24, 2011, covering goods in International class 1;
- the Turkish trademark number 97363 for ECOLAB (word), filed on November 24, 1996, registered on December 31, 1996, covering goods in International classes 3 and 5; and
- the Japanese trademark number 2429614 for ECOLAB (stylized), filed on January 25, 1989, registered on June 30, 1992, covering goods in International classes 7, 11, and 19.

Also, the Complainant owns trademark applications for the marks ECOLAB AQUAIQ (U.S. Appl. Serial No. 98860632) and ECOLAB DISHIQ (U.S. Appl. Serial No. 98847255) filed on November 19, 2024, respectively on November 11, 2024. On May 22, 2024, Complainant filed a trademark application for ECOLAB SUPERVISOR (U.S. Appl. Serial No. 98563830), which, for business reasons, was allowed to lapse.

The Complainant holds several domain names incorporating its ECOLAB trademark, the main website being hosted at the domain name <ecolab.com> owned since January 25, 1996.

The disputed domain names were registered as follows:

- the disputed domain name <ecolabaquaiq.com> was registered on November 19, 2024;
- the disputed domain name <ecolabdishiq.com> was registered on November 11, 2024;
- the disputed domain name <ecolabsupervisor.com> was registered on May 22, 2024; and
- the disputed domain names <ecolabenergies.co>, <ecolabenergies.org>, <ecolabenergy.com> were registered on March 30, 2024.

At the time of filing the Complaint, none of the disputed domain names was actively used, but they were offered for public sale on third parties' websites, as follows: the disputed domain names <ecolabaquaiq.com> and <ecolabdishiq.com> on Daaz.com for USD 2,850 each; the disputed domain name <ecolabsupervisor.com> on GoDaddy's Afternic marketplace for USD 2,850, and the disputed domain names <ecolabenergy.com>, <ecolabenergies.co>, and <ecolabenergies.org> on Sedo's domain marketplace for USD 50,000, USD 10,000, and USD 10,000, respectively.

The Respondent “mesut Erdogan” was involved in at least another eight UDRP disputes decided against it. See *CitiusTech Healthcare Technology Private Limited v. Mesut Erdogan*, WIPO Case No. [D2025-1005](#); *Mr. Jean Amazan v. mesut Erdogan*, WIPO Case No. [D2025-0220](#); and *Rolf Benz AG & Co. KG v. mesut Erdogan*, WIPO Case No. [D2024-4380](#).

## 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 names.

Notably, the Complainant contends that, through continuous and broad use of its ECOLAB marks, it has gained widespread fame, and the ECOLAB marks themselves became famous and widely recognized marks in the water, cleaning, hygiene, and infection industries in the United States and throughout the world; the disputed domain names are identical and confusingly similar to its trademarks since the disputed domain names either reproduce exactly or incorporate the marks ECOLAB, ECOLAB AQUAIQ and ECOLAB DISHIQ, with or without additional generic terms “supervisor”, “energy”, and “energies”, plus the generic Top-Level Domains (“gTLDs”) “.com”, “.co”, and “.org” after the mark; the Respondents have no rights or legitimate interests in the disputed domain names; the Respondents have registered and are using the disputed domain names in bad faith; although the disputed domain names do not resolve to content, passive holding of the disputed domain names by the Respondents demonstrates the Respondents’ bad faith since the ECOLAB mark has a strong reputation and is substantially used worldwide; additionally, the Respondents have also listed the disputed domain names for sale and the attempt to sell a domain name consisting of a well-known trademark, where the Respondents have knowledge of such trademark, in excess of the Respondents’ investment relative to the disputed domain name constitutes bad faith registration and use of the disputed domain name; the Respondents registered the disputed domain names <ecolabaquaiq.com>, <ecolabdishiq.com>, and <ecolabsupervisor.com> on the very same days as the corresponding ECOLAB AQUAIQ, ECOLAB DISHIQ, and ECOLAB SUPERVISOR trademark applications were filed; it appears that the Respondents have utilized false contact information in the registration of at least some of the disputed domain names; that in registering and using the disputed domain names, the Respondent Mesut Erdogan and other aliases, has continued to engage in its prior pattern of bad faith registration and use of domain names targeting third-party marks since it was involved in other previous UDRP disputes decided against it; to its Cease-and-Desist letters sent on January 19, 2025 and January 20, 2025, the Complainant has received a response from the Respondents only with respect to the disputed domain names <ecolabenergy.com>, <ecolabenergies.co>, and <ecolabenergies.org> but, in its response, the Respondents demanded USD 500 for each of the disputed domain name, providing no explanation behind that specified amount despite the Complainant’s request for that information; additionally, the Respondents appear to have attempted to set up the disputed domain names <ecolabenergy.com>, <ecolabenergies.co>, and <ecolabenergies.org> for use to create email addresses and send email messages by creating MX (mail exchange) records, but misconfigured them, whereas MX records may indicate that the disputed domain name may be used for fraudulent email communications.

### B. Respondents

The Respondents did not reply to the Complainant’s contentions.

## 6.1 Preliminary Procedural Issue: Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different disputed domain name registrants. The Complainant alleges that the disputed domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names (i) were created in a similar manner, incorporating the Complainant's trademark ECOLAB, followed by non-distinctive terms ("aquaiq", "dishiq", "energies", "energy", "supervisor"); (ii) were registered within a short timeframe of eight months from each other, three of them on the same day; (iii) are registered with the same Registrar, and are using the same privacy service; (iv) are not associated with active websites and are all offered for sale on specialized third parties' platforms; (v) all the registrants provided false or incomplete/inaccurate contact details in the WhoIs; and (vi) the Respondents have not objected to the consolidation claims made by the Complainant despite the communications sent by the Center to them.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

## **6.2 Substantive Issue: Three Elements**

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the disputed domain names; and
- (iii) the disputed domain names have been registered and are 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. See section 1.7 of the [WIPO Overview 3.0](#).

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 mark ECOLAB is easily recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the Complainant's mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, here "aquaiq", "dishiq", "energies", "energy", and "supervisor", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel notes that the composition of the disputed domain names, which incorporates the Complainant’s mark, suggests an affiliation with the trademark owner. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

Further, the disputed domain names were offered for public sale on third parties’ websites and the Respondent has registered at least six disputed domain names comprising the Complainant’s marks. These facts, together with the other circumstances in this case, including a lack of any explanation for the choice of the disputed domain names by the Respondent (similar to the Complainant’s distinctive trademarks), do not amount to a bona fide offering or legitimate noncommercial or fair use.

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 the disputed domain names were registered in bad faith, with knowledge of the Complainant and its trademarks particularly since they incorporate the Complainant’s mark (registered since at least 1996) and are highly similar to the Complainant’s company name and domain names. Furthermore, three of the disputed domain names are identical to the Complainant’s United States trademark applications and were registered on the same day as the Complainant’s corresponding trademark applications were filed.

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.

At the time of filing the Complaint, none of the disputed domain names was not connected to an active website. UDRP panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel notes the composition of the disputed domain names (which is highly similar to

the Complainant's trademarks, company name, and domain names); the reputation of the Complainant's trademarks; the Respondent's failure to respond to the present proceedings and thus, to put forward any argument in its favour; the Respondent's provision of inaccurate or incomplete contact information in the Whois (as the Written Notification could not be delivered by the courier); the implausibility of any good faith use to which the disputed domain names may be put, and finds that, in the circumstances of this case, the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy. [WIPO Overview 3.0](#), section 3.3.

Paragraph 4(b)(i) of the Policy provides the circumstance when the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name. The Panel finds that, registering at least six domain names identical and/or confusingly similar to the Complainant's trademarks, and offering them for sale to the public at large, for valuable consideration in excess of its out-of-pocket expenses (absent any evidence from the Respondent to the contrary), is evidence of bad faith behavior in the circumstances of this case. [WIPO Overview 3.0](#), section 3.1.1.

Paragraph 4(b)(ii) of the Policy provides another circumstance of bad faith registration and use when the respondent registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct. The Respondent's registration of six disputed domain names reproducing the Complainant's trademarks, as well as the involvement of the Respondent (using mesut Erdogan alias) in other UDRP proceedings, as detailed under Section 4 above, enforces such finding. [WIPO Overview 3.0](#), section 3.1.2.

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 names <ecolabaquaiq.com>, <ecolabdishiq.com>, <ecolabenergies.co>, <ecolabenergies.org>, <ecolabenergy.com>, and <ecolabsupervisor.com> be transferred to the Complainant.

*/Marilena Comanescu /*

**Marilena Comanescu**

Sole Panelist

Date: July 9, 2025