

## **ADMINISTRATIVE PANEL DECISION**

Skandia Brands AB v. Kellan Rhodes

Case No. D2025-2134

### **1. The Parties**

The Complainant is Skandia Brands AB, Sweden, represented by Abion AB, Sweden.

The Respondent is Kellan Rhodes, United States of America.

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

The disputed domain name <skandia.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 May 30, 2025. On May 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 3, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 3, 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 June 5, 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 June 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 2, 2025.

The Center appointed Dietrich Beier as the sole panelist in this matter on July 7, 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 Group to which the Complainant belongs and for which it owns and manages intellectual property rights and assets is an international insurance company headquartered in Sweden. Formed in 1855, the corporation provides financial services such as life insurance, asset management, banking, annuities, and mutual funds products to its clients. The Group has approximately SEK 860 billion under their management and 1.9 million customers.

The Complainant is the owner of several trademark registrations for SKANDIA in numerous jurisdictions all over the world which predate the registration of the disputed domain name <skandia.shop> - registered on March 27, 2025, such as, but not limited to, European Union Trademark SKANDIA, Registration No. 018626215 registered on June 23, 2022 and being in effect.

The Complainant uses several domain names (including <skandia.se>, and <skandia.com>) to resolve to its official website through which it informs Internet users and potential consumers about its SKANDIA mark and its related products and services. The Complainant also enjoys a strong presence online via its official social media platforms. The disputed domain name redirects to a parked website where the domain name is offered for sale for USD 1,450.

The Respondent did not reply to the Cease and Desist letter sent by Complainant.

#### **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 its trademark SKANDIA is distinctive and that it owns a large portfolio of registered trademarks for it.

The disputed domain name fully incorporates the Complainant's SKANDIA mark, differing only by the addition of the generic Top Level Domain ("gTLD") ".shop" which does not distinguish the disputed domain name from the Complainant's marks.

Further, the Respondent is not commonly known by the disputed domain name or was authorized by the Complainant to make use of his mark.

The Complainant conducted a reverse Whois search using the Respondent's email address which revealed that the Respondent is behind at least 1,000 domain name registrations, some of which incorporate well-known trademarks and/or misspelled variations of the same, such as, but not limited to, <visacard.us>, <subwaysurfers.us>, and <starbuck.us>.

Moreover, the disputed domain name resolves to a parked website where the domain name is offered for sale for USD 1,450, an amount which is in view of the Complainant clearly in excess of the out of pocket costs incurred by the Respondent to register and maintain the disputed domain name.

The Respondent did not reply to the Cease and Desist letter sent by the Complainant.

## **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 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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The gTLD ".shop" is typically disregarded in the confusing similarity test. [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 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. This is in particular the case since the Complainant did not grant any permission or consent to the Respondent to use its trademarks. Furthermore, the Respondent has no rights or legitimate interests in the disputed domain name since there is no indication that the Respondent is commonly known by the name "skandia" nor that the Respondent is using the disputed domain name in connection with a legitimate noncommercial or bona fide offering of related goods or services.

### **C. Registered and Used in Bad Faith**

Due to the long existence and intensive use of the Complainant's marks, the Respondent must have been well aware of the Complainant and its trademarks when registering the disputed domain name. The Complainant had not authorised the Respondent to make use of its mark. This Panel does not see any conceivable legitimate use that could be made by the Respondent of this particular disputed domain name without the Complainant's authorization, even if the website under the disputed domain name is not active

and is only offering the disputed domain name for sale for an amount likely succeeding out of pocket expenses. Furthermore, the disputed domain name is almost identical to the Complainant's domain names <skandia.se>, and <skandia.com>, which may cause Internet user's confusion.

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 finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness and the reputation of the Complainant's trademark, the composition of the dispute domain name, the Respondent's use of incomplete contact details when registering the disputed domain name (the courier service was not able to deliver the Center's Written Notice due to the bad address), and the Respondent's failure to file a response, and finds that in the circumstances of this case, including a pattern of abusive registrations by the Respondent, the passive holding of the disputed domain name does not prevent a finding of 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 <skandia.shop> be transferred to the Complainant.

*/Dietrich Beier/*

**Dietrich Beier**

Sole Panelist

Date: July 17, 2025