

ADMINISTRATIVE PANEL DECISION

Elkjøp Nordic AS v. Host Master, Njalla Okta LLC
Case No. D2025-2467

1. The Parties

The Complainant is Elkjøp Nordic AS, Norway, represented by Zacco Sweden AB, Sweden.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

2. The Domain Names and Registrar

The disputed domain names <elgiganten-danmrak.com>, <elkjop-nroge.com>, and <giganti-fi.co> are registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 23, 2025. On June 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 23, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 amendment to the Complaint on June 24, 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 June 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 21, 2025.

The Center appointed Reyes Campello Estebaranz as the sole panelist in this matter on July 23, 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 Norwegian company founded in 1962, which it is now part of the Currys Group Ltd. (formerly known as DSG Retail Ltd.), a multinational consumer electrical and mobile retailer and services company. The Complainant operates internationally an electronics retailer, with retail businesses established in Norway, Sweden, Denmark, and Finland, and franchise operations in Greenland, Iceland and the Faroe Islands. It currently employs approximately 10,400 people, and operates 430 stores as well as several e-commerce platforms, with a turnover of over NOK 45 billion.

The Complainant operates under various brands, including ELKJØP and ELKJØP Phonehouse in Norway, ELGIGANTEN and ELGIGANTEN Phonehouse in Sweden, ELGIGANTEN in Denmark, GIGANTTI in Finland, ELKO in Iceland, ELDING in the Faroe Islands, and PISIFFIK in Greenland. The Complainant or its group owns various trademark registrations for these brands in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASSES
ELKJØP	Norway	151114	June 25, 1992	9 and 11
	European Union	11148863	March 6, 2013	7, 8, 9, 11, 14, 16, 20, 21, 28, 35, and 37
ELGIGANTEN	European Union	5908678	May 30, 2008	7, 8, 9, 11, 21, 35, 36, and 37
	European Union	11148913	March 6, 2013	7, 8, 9, 11, 14, 16, 20, 21, 28, 35, and 37
ELGIGANTEN	Denmark	VR 2005 01853	May 24, 2005	7, 8, 9, 11, 21, 35, 36, and 37
GIGANTTI	Finland	222603	December 31, 2001	9 and 11
	European Union	11148897	March 6, 2013	7, 8, 9, 11, 14, 16, 20, 21, 28, 35, and 37

The Complainant further holds several domain names corresponding to its trademarks, which resolve to its corporate websites, including <elgiganten.com> (registered on October 3, 1999), <elkjopnordic.com> (registered on August 21, 2014), <elkjop.no> (registered on November 29, 2012), <gigantti.fi> (registered on January 22, 1999), and <elgiganten.dk> (registered on November 18, 1997).

The disputed domain names were registered on the following dates: <elgiganten-danmark.com>, on May 24, 2025; <elkjop-nroge.com>, on May 20, 2025; and <giganti-fi.co>, on May 20, 2025.

According to the evidence submitted with the Complaint, the disputed domain names resolve to websites in the respective languages (Danish, Norwegian, or Finnish), which feature the Complainant's trademarks and logos (with the same or very similar graphic representations registered by the Complainant), and allegedly

offer electronic devices for sale. These websites include copyrighted images of the Complainant's products, the copyright notes "©2025 Elgiganten Danmark", "©2025 ELKJØP", or "©2024 GIGANTTI", and they do not include any information about their respective owners or that of the disputed domain names, or their lack of relationship with the Complainant and its trademarks.

At the time of drafting this decision, the disputed domain name <elgiganten-danmrak.com> is apparently inactive resolving to an Internet browser error message indicating, "This site can't be reached". The other two disputed domain names still resolve to the above-described websites.

On June 12, 2025, the Complainant sent cease-and-desist communications to the Respondent regarding each of the disputed domain names, requesting their respective transfer. The Respondent did not reply to these communications.

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 the disputed domain names are confusingly similar to its trademarks. The disputed domain names respectively incorporate the trademark ELGIGANTEN (identically), a similar version of its trademark ELKJØP (replacing the letter "Ø" with the letter "O"), or a similar version of its trademark GIGANTTI (omitting of one of the letters "T"); being the last two cases common, obvious, or intentional misspellings of the Complainant's trademarks. The addition of the geographical element "fi", or the misspelled geographical terms "nroge" and "danmrak", as well as the addition of the generic Top-Level Domain ("gTLD") ".com", or the country code Top-Level Domain ("ccTLD") for Colombia ".co", are irrelevant and do not avoid the confusing similarity.

The Complainant further contends the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent has no authorization to use the Complainant's trademarks, its name does not share any similarity with the disputed domain names, and there is no relationship between the Parties. The disputed domain names are used to generate confusion and increase traffic to websites that impersonate the Complainant for a commercial gain.

The Complainant finally contends the disputed domain names were registered and are being used in bad faith. The fame and value of the Complainant's trademarks has motivated the Respondent to register the disputed domain names targeting these marks to intentionally generate confusion and a false impression of affiliation for illicit and fraudulent purposes. The Respondent's bad faith is corroborated by (i) the use of the Complainant's trademarks and logos (with identical graphical representation) in the Respondent's websites; (ii) the inclusion in the disputed domain names of geographical elements or misspellings of the countries where the Complainant's marks are used and well-known; (iii) the fact of being the Respondent's websites referred to the same products and services branded under the Complainant's trademarks; and (iv) the lack of response to the Complainant's cease-and-desist communications.

B. Respondent

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

6. Discussion and Findings

The Complainant has made the relevant assertions as required by the Policy and the dispute is properly within the scope of the Policy. The Panel has authority to decide the dispute by examining the three

elements in paragraph 4(a) of the Policy, taking into consideration all of the relevant evidence, annexed materials and allegations, and performing some limited independent research under the general powers of the Panel articulated, inter alia, in paragraph 10 of the Rules.

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, namely the trademarks ELKJØP, ELGIGANTEN, and GIGANTTI. [WIPO Overview 3.0](#), section 1.2.1.

The Panel notes the disputed domain names incorporate the ELGIGANTEN mark in its entirety or modified versions of the ELKJØP mark (replacing the letter "Ø" with the letter "O"), and the GIGANTTI mark (omitting one of its letters "T"). A domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Therefore, the Panel finds the Complainant's trademarks are recognizable within the disputed domain names, and, accordingly, the disputed domain names are respectively confusingly similar to these marks for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9.

Although the addition of other terms here, the geographical element "fi" or the misspelled countries "nroge" and "danmrak", 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 names and the marks 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.

Additionally, the Panel notes that the Respondent's name shares no similarities with the disputed domain names.

The Panel further notes the Respondent has no authorization for the use of the Complainant's trademarks, and the composition of the disputed domain names (two of them comprising misspelled versions of the Complainant's trademarks), as well as the content of the websites at the disputed domain names create a risk of Internet user confusion. In this respect, the Respondent's websites include the Complainant's respective marks with the same or very similar graphic representations as the ones registered and used by the Complainant, and generate the impression of being owned by or affiliated to the Complainant or its group, which cannot be considered a bona fide offering of goods or services under the Policy. Particularly, these websites (i) include copyrighted images of the Complainant's products; (ii) reproduce the design, color combination, and general look and feel of the Complainant's corporate websites; (iii) do not include any reference to their lack of relationship with the Complainant and its trademarks; and (iv) include copyright notes that only refer to the Complainant's marks ("©2025 Elgiganten Danmark", "©2025 ELKJOP", or "©2024 GIGANTTI").

Such use of the disputed domain names cannot qualify as a nominative (fair) use under the Policy. On the contrary, panels have held that the use of a domain name for illegal activity like passing off and impersonation, as it is the case here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The current apparent passive holding of one of the disputed domain names (<elgiganten-danmrak.com>) does not alter this conclusion, as it cannot qualify as any prior legitimate use, or demonstrable preparations to legitimately use the disputed domain name for any bona fide offering of goods or services.

Accordingly, the Panel finds nothing in the record indicates the Respondent may have any rights or legitimate interests in respect of the disputed domain names, and thus 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 present case, the Panel notes the long prior and continuous use of the Complainant's trademarks, as well as its well-known character at least in the Nordic countries that are core to the Complainant's operations. Various decisions under the Policy have recognized the notoriety of the Complainant's trademarks. See, e.g., *Elkjøp Nordic AS v. Boxer, Boxer*, WIPO Case No. [D2025-0600](#); or *Elkjøp Nordic AS v. Jordan Pipiads, JORPIPI*, WIPO Case No. [D2025-0599](#).

The Panel further considers the composition of the disputed domain names, including the Complainant's trademarks or misspelled versions of its trademarks, followed by geographical elements or misspelled geographical terms that precisely refer to the specific jurisdictions where the Complainant's trademarks are respectively used and notorious.

Additionally, the Panel notes the use of the disputed domain names in connection to websites that impersonate the Complainant, reproduce its trademarks as well as copyrighted images from its products, and the general look and feel of its corporate websites.

Therefore, the Panel finds all the circumstances of this case point to the Respondent's bad faith registration and use of the disputed domain names, with opportunistic bad faith to intentionally create a likelihood of confusion with Complainant's trademarks and its business, to increase the traffic to the Respondent's websites for unfair commercial gain.

The mere registration and use of the disputed domain names targeting the Complainant and its trademark to increase the traffic to the Respondent's websites for commercial gain is sufficient to consider the Respondent has acted in bad faith under paragraph 4(b)(iv) of the Policy. Accordingly, having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy, and the Complainant has established the third element of the Policy.

Additionally, panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, constitutes bad faith ([WIPO Overview 3.0](#), section 3.4), and panels have found that the non-use of a domain would not prevent a finding of bad faith under the doctrine of passive holding ([WIPO Overview 3.0](#), section 3.3). Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant's trademark, and the composition of the disputed domain names fully incorporating the Complainant's trademarks or misspelled versions of its marks, and finds that in the circumstances of this case the current passive holding of one of the disputed domain names does not prevent a finding of bad faith under the Policy.

Accordingly, 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 <elgiganten-danmrak.com>, <elkjop-nroge.com>, and <giganti-fi.co> be transferred to the Complainant.

/Reyes Campello Estebarez/

Reyes Campello Estebarez

Sole Panelist

Date: August 5, 2025