

ADMINISTRATIVE PANEL DECISION

DNV AS v. Carolina Rodrigues
Case No. D2025-2518

1. The Parties

The Complainant is DNV AS, Norway, represented by Zacco Norway AS, Norway.

The Respondent is Carolina Rodrigues, Panama.

2. The Domain Name and Registrar

The disputed domain name <dnvhealthcareportal.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 26, 2025. On June 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 26, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 27, 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 30, 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 July 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 31, 2025.

The Center appointed Harini Narayanswamy as the sole panelist in this matter on August 9, 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 Det Norske Veritas AS (formerly known as DNV GL AS) is a Norwegian-based international business group that was founded in the year 1864. It is a leading classification society and provides services in quality assurance, risk management and certification.

The Complainant uses DNV as its trademark and owns several trademark registrations for the DNV marks that include:

DNV figurative mark, Norwegian trademark registration number 162893, registration date May 26, 1994 in classes 9, 16, 35, 37 and 42.

DNV figurative mark, European Union trademark registration number 003326873, registration date January 10, 2005 in classes 9,35 and 42.

DNV word mark, United States of America trademark registration number 6513761, registration date October 12, 2021 in classes 9, 35, 37, 38, 40, 41 and 42.

The disputed domain name was registered by the Respondent on March 11, 2025. At the time of filing the Complaint, the disputed domain name resolved to an inactive webpage displaying a message that the site cannot be reached. The Complainant has filed evidence that a user of the disputed domain name may get a pop-up security alert regarding spyware or malware. The Complainant sent a notice to the Respondent via the Registrar on June 9, 2025 to which there was no reply.

5. Parties' Contentions

A. Complainant

The Complainant contends that it is in the business of offering services in certification, technical advisory and digital solutions. It is one of the world's leading certification bodies and its certification services include helping businesses assure the performance of their organizations, products, people, facilities and their supply chains.

The Complainant alleges that it has operations in over 100 countries with more than 15,400 employees and provides services to several industries including maritime, oil and gas, renewal energy and health care. The Complainant states that it is a leading advisor to the maritime industry, its business includes its renown testing services, certification and technical advisory services to the energy value chain, including renewables, oil and gas and energy management.

Notably, the Complainant submits that its business offers products and services in the healthcare sector. Its business has also expanded to providing digital solutions for managing risk and improving safety and asset performance for ships, pipelines, processing plants, offshore structures, electric grids, smart cities and many others. Its open industry assurance platform, "Veracity" and its cyber security and software solutions, support business-critical activities across many industries, including maritime, energy and healthcare.

The Complainant submits that the disputed domain name is confusingly similar to its mark, the Respondent lacks rights or legitimate interest in the disputed domain name, and the disputed domain name has been

registered in bad faith and is being used in bad faith. The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Three elements need to be established by the Complainant under paragraph 4(a) of the Policy to obtain transfer of the disputed domain name, these are:

- (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 lacks rights or legitimate interests in the disputed domain name; and
- (iii) The disputed domain name was registered and is being used in bad faith by the Respondent.

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 provided evidence of its registered trademarks, which satisfies the threshold requirement of having rights in the mark. [WIPO Overview 3.0](#), section 1.1. Accordingly, the Complainant has established its rights in the trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#) section 1.2.1.

The Complainant has also submitted that it owns the domain name <dnvhealthcareportal.com> from which it operates a website for its healthcare business. The Complainant draws attention to the close resemblance of the disputed domain name to the domain name from which it operates its health care related business.

The disputed domain name contains the DNV trademark with additional terms "heath", "care" and "portal". The Complainant has argued that "heath" is a deliberate misspelling of the word "health" and combined with words "care" and "portal" the disputed domain name is confusingly similar to its mark. The Panel agrees with the Complainant's submission that the misspelling of the term "health", where the letter "l" is omitted, does not reduce confusing similarity of the disputed domain name with the Complainant's mark. [WIPO Overview 3.0](#), section 1.9.

Although the addition of other terms here like "heath", a misspelling of the word "health", "care" and "portal", may bear on assessment of the second and third elements, the Panel finds the addition of the terms "heath", "care" and "portal", 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 Panel finds 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.

The Complainant has stated that the Respondent has no connection or affiliation with the Complainant.

The Complainant has argued that the disputed domain name is being used to distribute malware and has filed evidence that a user of the disputed domain name may encounter a pop-up message that gives a security warning about malware or spyware. The Complainant has argued that such use of the disputed domain name poses a serious risk to its business and to Internet users visiting the disputed domain name. The Complainant has argued that such activity has been recognized as illegal activity under the Policy, which does not confer any rights or legitimate interests on the Respondent.

The Panel agrees that this view is consistent with previous panel views and concurs that use of the domain name for illegal activity such as distributing malware does not indicate legitimate or bona fide use of the domain name under the Policy. [WIPO Overview 3.0](#), section 2.13.1

Having reviewed the available record and the circumstances of the present case, 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 submissions, arguments or evidence demonstrating that he has rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

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.

- (i) Circumstances indicate that the respondent has registered or acquired the domain name primarily for purpose of selling, renting, or otherwise transferring the domain name registration 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 respondent’s documented out-of-pocket costs directly related to the domain name; or
- (ii) The respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) By using the disputed domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation or endorsement of the respondent’s website or location or of a product or service on the respondent’s website or location.

Having reviewed the available record, the Panel notes the prior use and registration of the Complainant's trademark which is widely known and is associated with the business of the Complainant. Given the widely known reputation of the DNV trademark, the Respondent's choice to register the disputed domain appears to intentionally target the Complainant's mark.

The Panel also notes that the Respondent has been named in previous UDRP cases for registering and using domain names incorporating third party trademarks in bad faith. The Complainant in an email communication to the Center dated June 30, 2025 has identified some of the cases where the Respondent was previously involved, these are: *Pillsbury Winthrop Shaw Pittman LLP v. Wanfeng Lu/ Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2025-1576](#), *Mr. Philippe Briand v. Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2025-1467](#), *MasTec North America, Inc. v. Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2025-1448](#).

The Respondent has failed to respond or provide any credible reasons for the choice of the disputed domain name. The evidence on record does not suggest that the disputed domain name has been put to any good faith use, on the contrary, evidence on record shows the disputed domain name is used for illegal activity such as distributing malware. Furthermore, the Respondent's use of privacy shield to conceal identity under the discussed circumstances, and the Respondent's pattern of bad faith registration and use of domain names in previous UDRP cases, does not prevent a finding of bad faith under the Policy.

The Panel finds for all the reasons discussed that the disputed domain name was registered in bad faith and is being used in bad faith by the Respondent. 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 <dnvhealthcareportal.com> be transferred to the Complainant.

/Harini Narayanswamy/

Harini Narayanswamy

Sole Panelist

Date: August 23, 2025