

## **ADMINISTRATIVE PANEL DECISION**

Swiss Life AG, Swiss Life Intellectual Property Management AG v. Askia Jones

Case No. D2025-2540

### **1. The Parties**

The Complainants are Swiss Life AG and Swiss Life Intellectual Property Management AG, Switzerland, represented by FMP Fuhrer Marbach & Partners, Switzerland.

The Respondent is Askia Jones, United States of America.

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

The disputed domain name <swisslife.org> 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 30, 2025. On June 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 1, 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 Complainants on July 1, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint on July 5, 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 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 30, 2025. The Respondent did not submit any response before the specified due date. Accordingly, the Center notified the Respondent’s default on August 5, 2025. However, on the same day, the Respondent filed a Response with the Center.

The Center appointed Luca Barbero as the sole panelist in this matter on August 21, 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 Complainants Swiss Life AG (hereinafter, the “first Complainant”) and Swiss Life Intellectual Property Management AG (the “second Complainant”) are both corporations incorporated under the laws of Switzerland. The first Complainant is the holding company of the Swiss Life group. The second Complainant is a subsidiary of the first Complainant and is responsible for managing all intellectual property owned by the Swiss Life group. They are members of the Swiss Life group that comprises the Switzerland’s largest life insurance company and one of Europe’s leading comprehensive life and pensions and financial solutions providers.

Founded in 1857 in Zurich as the “Schweizerische Lebensversicherungs und Rentenanstalt cooperative”, Swiss Life adopted its current name in 2002 and registered by the end of 2019 approximately CHF 254 billion of assets under management.

In 2019, the Swiss Life group generated a total turnover of more than CHF 23 billion and had around 9300 employees (FTE) and 14,000 consultants in order to serve its more than 4 million customers.

According to ADV Ratings 2019, the SWISS LIFE group figured among the 15 largest European insurance companies according to their assets, as the fourth largest insurance company by market value and ranked 125th in the Forbes’ list of the World’s Best Regarded Companies 2019.

The Complainants are the owners of numerous trademark registrations for SWISS LIFE, including the following, which are registered in the name of the second Complainant, as per trademark registration details submitted in Annex 10.a to the Complaint:

- United Kingdom trademark registration No. UK00001504597 for SWISS LIFE (word mark), filed on June 26, 1992, and registered on May 27, 1994, in class 36;
- Switzerland trademark registration No. 436709 for SWISS LIFE (word mark), filed on March 21, 1996, and registered on February 12, 1997, in class 36;
- Switzerland trademark registration No. 491528 for SWISS LIFE (word mark), filed on August 02, 2001, and registered on November 15, 2001, in classes 9, 16, 35, 36, 38, 41 and 42;
- European Union trademark registration No. 003438413 for SWISS LIFE (word mark), filed on October 31, 2003, and registered on October 20, 2006, in classes 9, 16, 35, 36, 38, 41, 42 and 44;
- United States of America trademark registration No. 3041924 for SWISS LIFE (figurative mark) filed on April 30, 2004, and registered on January 10, 2006, in international classes 35 and 36.

The Complainants are also the owner of numerous domain names identical to, or incorporating, SWISS LIFE, including <swisslife.ch>, registered on January 1, 1996, and <swisslife.com>, registered on May 10, 1996, used by the Complainants to promote their services under the trademark SWISS LIFE.

The disputed domain name <swisslife.org> was registered on May 5, 1998, and is redirected to an internal webpage of the website “www.afternic.com” where it is being offered for sale.

## **5. Parties' Contentions**

### **A. Complainants**

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainants contend that they have rights in SWISS LIFE based on trademark registrations and the well-known status of the mark. They state that their SWISS LIFE mark is today well-known in Switzerland and many other countries and, particularly, that the SWISS LIFE mark has reached the status of a well-known mark within the meaning of Article 6bis of the Paris Convention for the Protection of Industrial Property of 20 March 1883 (Paris Convention). The Complainants submit that the Swiss Supreme Court affirmed this already in the year 2007, with the decision BGE 4C.341/2005 (consideration 5), where it indicated that it is "well known that the signs of the Claimants have a significant degree of fame and are accordingly perceived by the consumers as an indication of the Claimants respectively their products". The Complainants further submit that, in doctrine, scholars list the SWISS LIFE brand not only as a well-known/notorious mark but rather as a famous mark in the sense of Article 15 of the Swiss Trademark Act.

The Complainants contend that the disputed domain name <swisslife.org> is identical to the trademark SWISS LIFE in which the Complainants have rights as it reproduces the trademark in its entirety with the mere addition of the generic Top-Level Domain ("gTLD") ".org".

The Complainants state that the Respondent does not have any rights or legitimate interests in respect of the disputed domain name because; i) the Respondent has not been authorized by the Complainants to use their SWISS LIFE mark; ii) the Respondent cannot provide any proper justification as to why it would be entitled to register a domain name containing the Complainants' SWISS LIFE mark; iii) the Respondent is clearly illegally capitalizing upon and taking advantage of the SWISS LIFE-brand in order to carry out fraudulent activities; and iv) the Respondent is not using the disputed domain for a genuine offer, as it is redirecting the disputed domain name to a website where it is offered for sale.

The Complainants submit that the Respondent registered and used the disputed domain name in bad faith since: i) given the unauthorized reference to, and use of, the Complainants' SWISS LIFE mark, the Respondent must clearly have had the Complainants and their rights in the SWISS LIFE mark in mind when registering the disputed domain name; ii) the Respondent obviously registered the disputed domain name merely for commercial gain with a view to sell the disputed domain name for a price far above the original registration costs and thereby taking unfair advantage of the Complainants' rights in the famous SWISS LIFE mark, by confusing Internet users into believing that the disputed domain name was operated by or authorized by the Complainants; and iii) the misuse of a trademark in a domain name and its association with illegal or improper activity, is a clear indication of registration and use in bad faith.

### **B. Respondent**

In his late Response, the Respondent states that he acquired the disputed domain name in good faith through a GoDaddy's expired domain auction, purely as a geographically descriptive domain name, combining a geographic location with the word "life" (citing similar domain names, namely, <uklife.org>, <aussielife.org> and <texaslife.org>) and not purposely to target the Complainants, that Respondent claims he did not know until he received copy of the Complaint.

The Respondent also states that the disputed domain name was in no way used to mislead or attract Internet users for commercial gain related to the Complainants, nor has it ever been actively used in any way to infringe on the Complainants' trademark, to disrupt the Complainants' business or to offer the same for sale to the Complainants or any of their competitors.

The Respondent concludes by requesting the Panel to dismiss the Complaint, confirm the Respondent has legitimate rights and interests in the disputed domain name and determine that the registration was carried out in good faith.

## 6. Discussion and Findings

According to paragraph 15(a) of the Rules: “A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.” Paragraph 4(a) of the Policy directs that the Complainants must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainants have rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

### 6.1 Preliminary procedural issue: Late Response

The Response was filed six days late, on the same date that the Center notified the Respondent’s default. The Respondent provided no reason for the delay.

The Panel has the discretion to admit a late Response as part of its general powers under paragraphs 10 and 12 of the Rules (a) to conduct the administrative proceeding in such a manner as it considers appropriate in accordance with the Policy and Rules; (b) to ensure that each Party is given a fair opportunity to present its case; and (c) to ensure that the administrative proceeding takes place with due expedition.

In the present case, the Panel notes that the Respondent is self-represented, that the admission of the late Response will not be unfair to either Party and will not substantially delay the proceedings.

Accordingly, the Panel decides to admit the late Response and will take it into consideration in rendering the Decision.

### 6.2 Substantive issues

#### 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 Complainants’ 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 Complainants have shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Indeed, the Complainants have provided evidence of ownership of valid trademark registrations for SWISS LIFE.

The entirety of the mark is reproduced within the disputed domain name without variations. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The applicable TLD in a domain name, such as the gTLD “.org” in this case, is viewed as a standard registration requirement and is thus disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), sections 1.11.1.

Therefore, 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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has rebutted the Complainants’ contentions, but, in the Panel’s view, has failed to come forward with sufficient and convincing evidence demonstrating rights or legitimate interests in the disputed domain name.

The Panel notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainants. The Respondent is not a licensee of the Complainants, nor has the Respondent otherwise obtained an authorization to use the Complainants’ trademark.

The Complainants state that the Respondent has no rights or legitimate interests in the disputed domain name because he registered the disputed domain name being aware of the Complainants and their trademark SWISS LIFE and with the intent of capitalizing from its sale.

The Respondent denies the Complainants’ contentions stating that he acquired the disputed domain name in good faith through an expired domain auction, purely as a geographically descriptive domain name, combining a geographic location with the word “life” and not purposely to target the Complainants, which the Respondent claims to have been unaware of until he was informed of the filing of the Complaint.

The Panel notes that the disputed domain name is identical to the Complainants’ well-known trademark SWISS LIFE and the Complainants’ main domain names <swisslife.com> and <swisslife.ch> both of them registered before the registration of the disputed domain name, used to promote the Complainants’ insurance services online. Therefore, despite the Respondent claimed not to be aware of the Complainants’ mark, the Panel finds unlikely that the Respondent was actually unaware of such trademark.

Considering the disputed domain name corresponds to the Complainants’ well-known trademark and the Respondent is offering it for sale, the Panel finds that the Respondent is not using the disputed domain name in good faith or for legitimate noncommercial or fair use.

Moreover, Panels have recognized that merely registering a domain name comprised of a dictionary word or phrase does not by itself automatically confer rights or legitimate interests on the respondent and that, in order to find rights or legitimate interests, the panel may need to consider if the registration was for the purposes of targeting third-party trademark rights. In this case, as mentioned above, the disputed domain name has been merely redirected to a webpage where it is offered for sale and the Respondent has not provided any evidence of use or intended use of the disputed domain name in connection with the dictionary meaning of the two words “Swiss life” encompassed in the disputed domain name. [WIPO Overview 3.0](#), section 2.10.1. The Panel further notes that there is no evidence regarding the ownership of other domain names owned by the Respondent that combine a geographic location with the word “life”. Taken together with the Complainants’ fame, the fact that the disputed domain name is identical to the Complainants’ trademark, and the Complainants’ prior registration of two domain names, the circumstances indicate that it is more likely than not that the Respondent registered the disputed domain name with the intention of targeting the Complainants’ rights.

Therefore, the Panel finds the second element of the Policy has also 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 disputed domain name in this case was registered in 1998, but the Respondent stated that he acquired it at a public expired domain name auction, although he did not specify the date on which he actually became the registrant of the disputed domain name. The Respondent also contended that he did not know the Complainants' trademark at the time he acquired the disputed domain name and afterwards, and that he became aware of the mark only upon receipt of the Complaint.

The Panel notes that, according to the records, the Complainants are the owners of trademark registrations for SWISS LIFE in Switzerland and other countries which predate the registration date of the disputed domain names of several years. Moreover, the Complainants' main domain names <swisslife.com> and <swisslife.ch> were registered two years before the disputed domain name was registered. Therefore, a simple online search would have revealed the existence of the Complainants and their trademark at the time the Respondent acquired the disputed domain name.

Furthermore, the Complainants have submitted evidence demonstrating that their SWISS LIFE trademark is considered a well-known mark within the meaning of Article 6bis of the Paris Convention.

The Panel further notes that the disputed domain name is identical to the Complainants' trademark and that the Respondent has not demonstrated rights or legitimate interests in the disputed domain name.

In view of the above, the Panel finds that the Respondent, despite its assertions, knew or should have known of the Complainants' trademarks at the time the Respondent registered the disputed domain name. See, along these lines, *Swiss Life AG and Swiss Life Intellectual Property Management AG v. Domain Admin, Whois Privacy Corp.*, WIPO Case No. [D2020-0449](#) and [WIPO Overview 3.0](#), section 3.2.2: "Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent's claim not to have been aware of the complainant's mark".

The Panel also notes that, as stated in [WIPO Overview 3.0](#), section 3.2.3, "Noting registrant obligations under UDRP paragraph 2, panels have however found that respondents who (deliberately) fail to search and/or screen registrations against available online databases would be responsible for any resulting abusive registrations under the concept of willful blindness; depending on the facts and circumstances of a case, this concept has been applied irrespective of whether the registrant is a professional domainer".

Under the circumstances, the Panel finds that, on balance of probabilities, the Respondent registered the disputed domain name being aware of the Complainants' trademark and with the purpose of selling it to the Complainants, which is the owner of the identical trademark SWISS LIFE, and related domain names, making it the most likely suitable candidate for a purchase.

Moreover, Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4. Considering that the Respondent redirected the disputed domain name to a website where the disputed domain name itself is offered for sale, the Panel finds that the Respondent intentionally attempted to attract Internet users to his website for commercial gain, by creating a likelihood of confusion with the Complainants' trademark as to the source, sponsorship, affiliation or endorsement of the website according to paragraph 4(b)(iv) of the Policy.

Therefore, the Panel finds that the Complainants have established the third element of the Policy as well.

## **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 <swisslife.org> be transferred to the Complainants.

*/Luca Barbero/*

**Luca Barbero**

Sole Panelist

Date: September 4, 2025