

ADMINISTRATIVE PANEL DECISION

OMIS Group S.p.A. v. mediaWorld Advertising International FZE
Case No. D2025-2581

1. The Parties

The Complainant is OMIS Group S.p.A., Italy, represented by A.F.P.C. sta S.n.c., Italy.

The Respondent is mediaWorld Advertising International FZE, United Arab Emirates (“UAE”).

2. The Domain Name and Registrar

The disputed domain name <omis.com> is registered with Key-Systems GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2025. On July 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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 (“MYWorld International AG”) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 July 9, 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 July 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 5, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on August 8, 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 group is organized as a joint stock company under Italian law and headquartered in Vicenza, Italy. It has been producing cranes, hoists, and other lifting machinery in Italy since 1967, and the group now controls manufacturing and sales facilities in Europe, Africa, Asia, and the Americas. The Complainant operates a principal website in multiple languages at “www.omis.net”, with links to the Complainant’s social media accounts. The Complainant has used this domain name since 1997. The Complainant also holds 15 other domain names incorporating “omis”, including <omis-group.com>, and domain names for many national markets, which currently redirect to the Complainant’s principal website.

The Complainant’s name “OMIS” is an acronym for its original name, “Officine Meccaniche Impianti Sollevamento”. The Complainant’s website, social media accounts, product labels, and other materials display a logo consisting of the name OMIS in capital letters under a capital letter “o” in a square. This logo is registered as a figurative mark as follows:

Mark	Jurisdiction	Reg. Number	Reg. Date	Goods or Services
OMIS (figurative)	Italy	0001127929	July 16, 2008	IC 7
OMIS (figurative)	European Union	009730953	March 30, 2012	IC 7, 9, 37, 42
OMIS (figurative)	International	1825006	August 5, 2024	IC 7, 9, 37, 42

The disputed domain name was created on July 31, 2003, and is registered to the Respondent mediaWorld Advertising International FZE (“mediaWorld”), listing a postal address in Dubai, UAE, and a contact email address in the domain <mediaworld.com>. At the time of this Decision, the domain name <mediaworld.com> redirects to an English-language website at “www.atmediaworld.com” headed “@media”, which promotes the Respondent’s business. This involves connecting a box to viewers’ televisions to present them with targeted advertising in exchange for rewards. According to the General Terms and Conditions found on that website, the service is contracted with ATMEDIA EUROPE LTD., with a postal address in Bulgaria.

At the time of this Decision, the disputed domain name does not resolve to an active website. The Panel notes that screenshots from the Internet Archive’s Wayback Machine show that the disputed domain name has likely changed hands several times since it was created in 2003, having been offered for sale at intervals and used for the German-language website of an Austrian catering business called “Omi’s” from at least May 2019 to January 2024.¹ Thus, it is unlikely that the Respondent acquired the disputed domain name until 2024.

Consistent with this history, the Complainant recites its efforts to obtain the disputed domain name, making contact through the Registrar. The Complainant offered to purchase the disputed domain name from the catering business Omi’s in May and June 2022 through Register S.p.A., which was then the registrar. Omi’s declined. The Complainant learned in October 2024 that Omi’s was in insolvency proceedings and was informed that another company, myWorld International AG, had obtained the disputed domain name and registered it with the current Registrar. The Complainant made an offer for the disputed domain name, and the broker stated in an email dated December 27, 2024, that the holder would consider only offers of at least USD 120,000. This correspondence is attached to the Complaint.

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 4.8.

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.

Notably, the Complainant contends that the disputed domain name is identical or confusingly similar to its unregistered (de facto) OMIS word mark used since the 1960s and its registered OMIS figurative mark. The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name, which it does not use for a website and which does not correspond to the Respondent's name. Rather, the Respondent appears only to be interested in transferring the disputed domain name to the trademark holder for an amount far in excess of registration costs, which constitutes bad faith.

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 (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 (the registered OMIS figurative mark in which "OMIS" is the prominent textual element) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Given the finding above and the timing of the Respondent's likely acquisition of the disputed domain name, it is unnecessary to determine whether the Complainant has established unregistered trademark or service mark rights in the word mark OMIS for the purposes of the Policy. The Panel notes that the record includes evidence of decades-long use of the acronym OMIS as a company name but not detailed evidence of associated sales, marketing, consumer, and media recognition of the word mark. [WIPO Overview 3.0](#), section 1.3.

The entirety of the textual element of the figurative mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the registered 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.

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. The available evidence indicates that, while the disputed domain name was created in 2003, it was not acquired by the Respondent until 2024, and that the Respondent is not related to the Austrian caterer named "Omi's" that previously operated a website using the disputed domain name. Thus, it does not appear that the Respondent is known by a corresponding name, and the Respondent has not put the disputed domain name to use or presented evidence of demonstrable preparations to do so, consistent with the Policy, paragraphs 4(c)(i), (ii), or (iii).

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 Complainant has a long-established European and International trademark with corresponding domain names, not reflecting a common word. Based on the available record, the Respondent is not known by a similar word or acronym and the term "Omis" does not appear on the Respondent's website. The Respondent has not come forward to explain why it chose to register the disputed domain name. Hence, the Complainant infers bad faith targeting of its mark, particularly as the Respondent proposed a high price for transferring the disputed domain name when contacted through the Registrar.

The Respondent has made no use of the disputed domain name to date, but a broker ostensibly acting on behalf of the "owner" demanded at least USD 120,000 for the disputed domain name. The record does not reveal the relationship between the Respondent and the company myWorld International AG, referenced in email communications between the Complainant and the broker. In any case, the Panel cannot necessarily conclude that the proposed sale price for disputed domain name was extortionate or that it is indicative of targeting of the Complainant, as the Complainant implies, noting that many reported sales prices for 4-letter ".com" domain names in 2024 exceed USD 100,000². A key question for assessing bad faith under the Policy, paragraph 4(b)(i), is whether the Respondent registered the disputed domain name "primarily for the purpose" of selling it to the trademark holder or a competitor. This inference is not compelling here. The Respondent has not used the disputed domain name for a website or emails attacking the Complainant's mark or otherwise revealing awareness of the Complainant's mark, and there is no evidence on this record suggesting a prior relationship or particular reason that would indicate that the Respondent could be aware of the mark, which is used in rather specialized industrial fields rather than in consumer marketing. The Panel notes that the disputed domain name was previously used for years not by the Complainant but by an Austrian caterer. The Panel notes further that the WIPO Global Brand Database has four pages of registered OMIS-formative trademarks, most of them owned by companies other than the Complainant, and that the leading Internet search results for "omis" concern a city by that name in Croatia, not the Complainant. The Complainant bears the burden of proof on the issue of bad faith, and the Panel is not persuaded on this record that the Respondent acquired the disputed domain name with knowledge of the Complainant's trademark and the primary purpose of selling the disputed domain name to the Complainant. Therefore, the Panel finds that the third element of the UDRP has not been established in this case.

² In this regard, see website "Get on the Web Limited", for example.

The Panel finds that the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: August 27, 2025