

ADMINISTRATIVE PANEL DECISION

Haemonetics Corporation v. Applicatina Extoferovna
Case No. D2025-2720

1. The Parties

The Complainant is Haemonetics Corporation, United States of America, represented by Sunstein LLP, United States of America.

The Respondent is Applicatina Extoferovna, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <haemonetics-italia.com> is registered with Internet Domain Service BS Corp (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 9, 2025. On July 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 14, 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 (Whois Privacy Corp.) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 17, 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 the same day.

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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 8, 2025.

The Center appointed Andrew Brown K.C. as the sole panelist in this matter on August 14, 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 based in Boston, Massachusetts, United States of America, and is a provider of blood management solutions as well as computer software, processing equipment, consulting services and computer services, all in the field of blood management. The Complainant is publicly traded on the New York Stock Exchange and has used its HAEMONETICS trademark in connection with blood processing equipment and blood management services since 1971.

The relevant rights of the Complainant comprise registrations of the HAEMONETICS trademark in the United States of America, and Italy (together the “HAEMONETICS Trademark”):

Mark	Country	Registration No.	Date of Registration	Class
HAEMONETICS	United States of America	1,057,423	February 1, 1977	9 and 10
HAEMONETICS	United States of America	5,232,710	June 27, 2017	9, 10, 35 and 42
HAEMONETICS	European Union	017879488	July 31, 2018	9, 10, 35, and 42

The disputed domain name was registered on July 7, 2025. The disputed domain name has a landing page located there. This promotes the Respondent’s mobile application development services.

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 Respondent has used the entirety of the Complainant’s HAEMONETICS Trademark in the disputed domain name followed by the geographically descriptive term “Italia”. The Complainant states that the Respondent must have known of the Complainant’s HAEMONETICS Trademark (which it says is well-known) and that the Respondent registered the disputed domain name with the intention of benefitting from the fame of the Complainant’s mark in some way. The Complainant relies also on the earlier panel decision in *Haemonetics Corporation v Bhanu Yadav, Haemonetics.com*, WIPO Case No. [D2023-3550](#) which found that the HAEMONETICS Trademark was well known. The Complainant relies further on (a) the fact that its HAEMONETICS Trademark was first used and has been continuously used for over 50 years before the disputed domain name was registered; and (b) that the mark HAEMONETICS is an arbitrary made-up trademark which is unique to it and is highly distinctive for computer software, processing equipment, consulting services and computer services in the field of blood management.

The Complainant further states that it operates its own subsidiary company, Haemonetics Italia SRL, from Milan, Italy with an office only 10 kilometers from the corporate address for “Haemonetics Italia SRL” listed by the Respondent on the landing page of the disputed domain name.

The Complainant says that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant asserts that its HAEMONETICS Trademark is highly distinctive in connection with the goods and services for which it is registered and that (as a made-up word) it is not a word that a third party would legitimately choose unless seeking to create an impression of an association with the Complainant.

The Complainant says further that it has never licensed or otherwise permitted the Respondent to use its HAEMONETICS Trademark. It claims that the Respondent is not affiliated with it in any way and that the Respondent does not have its permission to use the HAEMONETICS Trademark.

The Complainant states that the Respondent has registered and used the disputed domain name in bad faith. As regards both these requirements, the Complainant states that its HAEMONETICS Trademark is well-known and that the Respondent must have known of it. The Complainant relies on the fact that the Respondent is actively operating a website at the disputed domain name to promote mobile application development services. In this regard the Complainant's trademark registrations are in classes 9 and 42, being the classes covering downloadable and non-downloadable software. The Complainant asserts that, given the fame of its HAEMONETICS Trademark and the fact that it operates an office in the same city (Milan, Italy) for overlapping goods and services, it is entirely unlikely that the Respondent's registration of the disputed domain name could be put to good faith use.

B. Respondent

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

6. Preliminary Matters

The Panel notes that the information provided by the Registrar shows that the Respondent is located in Ukraine. Ukraine is currently subject to an international conflict at the date of this Complaint and this Decision. The Panel is required to consider under paragraph 10 of the Rules whether the proceedings should continue.

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and that the administrative proceedings take place with due expedition.

The Panel is of the view that the proceeding should continue, having considered all the circumstances of the case. The Panel notes the following factors:

- (a) Upon receiving the Center's request for registrar verification, the Registrar advised the Center of the name of the Respondent and contact email addresses, one of which was a Gmail address.
- (b) The Center sent the Notification of Complaint by email to the email addresses for the Respondent provided by the Registrar.
- (c) The Center also sent the Notification of Complaint to contact addresses (both email and physical) located on the landing page at the disputed domain name.

In the circumstances the Panel is satisfied that proper notice has been given to the Respondent. The Panel also notes that the Respondent registered the disputed domain names on July 7, 2025, i.e., over three years after the start of the commencement of the present international conflict, indicating that the Respondent provided the said address to the Registrar at the point of registration notwithstanding the ongoing international conflict, and thus would appear to be capable of controlling the disputed domain names and the related content. Further, having such access to the Internet, the Respondent should have received at least electronic notice of this proceeding. Also as noted later in this Decision, the Panel has no serious doubt that

the Respondent registered and has used the disputed domain name in bad faith with knowledge of the Complainant and with the intention of unfairly targeting the Complainant's trademark and goodwill.

The Panel concludes that the Parties have been given a fair opportunity to present their case. In order that the administration of proceedings takes place with due expedition, the Panel proceeds to a Decision accordingly.

7. 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 (its HAEMONETICS Trademark) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the word mark HAEMONETICS is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the HAEMONETICS Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here "Italia") 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 name and the mark 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 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 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 finds that the disputed domain name has been registered in bad faith for the following reason:

The Complainant has clearly demonstrated that it had rights to its HAEMONETICS Trademark and that its relevant trademarks relied on were registered well prior to registration of the disputed domain name. The Complainant has also provided evidence of its use of its distinctive HAEMONETICS Trademark since 1971 and use of its Italian trademark registration dates back to 1975. A previous panel has found that the Complainant's HAEMONETICS Trademark is well-known: *Haemonetics Corporation v Bhanu Yadav* WIPO Case No. [D2023-3550](#). The Complainant has been operating an Italian subsidiary company with an office in Milan, Italy, from before the registration date of the disputed domain name on July 7, 2025.

The Panel is satisfied that the Complainant's HAEMONETICS Trademark had achieved considerable goodwill and recognition prior to the date of registration of the disputed domain name as a result of the Complainant's commercial activities, including those in Italy.

The Panel finds that the Respondent had knowledge of the Complainant's well-known HAEMONETICS Trademark. A trademark search for this mark or even a search engine Internet search by the Respondent for that trademark would unquestionably have revealed the Complainant and its long-standing use of its HAEMONETICS Trademark.

The Panel is also satisfied that the Respondent is using the disputed domain name in bad faith for the following reasons:

(a) The Panel is satisfied that the Respondent is seeking to take unfair advantage of the Complainant's well-known trademark by using it to promote and publicize the Respondent's mobile app services. Each page of the landing page at the disputed domain name is prominently trademarked "Haemonetics Italia" and "Haemonetics Italia SRL". Haemonetics Italia SRL is the registered name of the Complainant's Italian subsidiary. Internet users encountering the disputed domain name and the landing page located there will be led to believe that the services offered are promoted by the Complainant or its Italian subsidiary.

This use appears designed to attract for commercial gain Internet users to the landing page by creating a likelihood of confusion. Internet users are likely to consider that the goods and services promoted and provided by the Respondent are authorized or licensed by the Complainant (when this is not the case).

(b) The Panel is entitled to draw and does draw an adverse inference from the failure of the Respondent to respond to the Complaint and to the factual allegations made by the Complainant.

The Panel finds that the Complainant has established the third element of the Policy.

8. 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 <haemonetics-italia.com> be transferred to the Complainant.

/Andrew Brown K.C./

Andrew Brown K.C.

Sole Panelist

Date: August 26, 2025