

## **ADMINISTRATIVE PANEL DECISION**

VKR Holding A/S v. saruch limnaimeung, Duangkamol Pengpit, Sarinee Ritsong, TeamFusion, Salaba arumjoh, Sarinee Ritsong, Bigdaddy, Satsawat Nanlongtod  
Case No. D2025-3103

### **1. The Parties**

The Complainant is VKR Holding A/S, Denmark, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondents are saruch limnaimeung, Thailand, Duangkamol Pengpit, Thailand, Sarinee Ritsong, TeamFusion, Thailand, Salaba arumjoh, Thailand, Sarinee Ritsong, Bigdaddy, Thailand, and Satsawat Nanlongtod, United States of America ("United States" or "US").

### **2. The Domain Names and Registrars**

The disputed domain names <velux345.co>, <velux345.info>, <velux345.live>, <velux345.net>, <velux345.org>, and <velux345.vip> are registered with NameCheap, Inc. The disputed domain name <velux345.com> is registered with Unstoppable Domains Inc. (the "Registrars").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 5, 2025. On August 6, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 6 and 7, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf / Domain Admin, Whois protection, this company does not own this domain name s.r.o.) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 9, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Respondent saruch limnaimeung sent an email communication to the Center on August 11, 2025. The Complainant filed an amended Complaint on August 14, 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 Respondents of the Complaint, and the proceedings commenced on August 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 10, 2025. The Respondents did not file any formal response. Accordingly, the Center notified the commencement of the panel appointment process on September 11, 2025.

The Center appointed Peter Burgstaller as the sole panelist in this matter on September 16, 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 was established in 1941 and offers through its subsidiaries worldwide inter alia roof windows, skylights, vertical windows and systems, thermal solar energy systems, decoration and sun screening products, ventilation, and indoor climate products under the mark VELUX (evidenced by Annexes 6 and 7 to the Complaint).

The Complainant owns numerous trademark registrations containing the mark VELUX around the world, inter alia:

- European Union trademark registration for VELUX (word), Reg. No. 000955609, registered on March 31, 2000;
- International trademark registration for , Reg. No. 928560, registered on March 28, 2007, designating several jurisdictions around the world, inter alia Australia, China, Japan, and United States (Annex 1 to the Complaint).

The Complainant's primary domain name <velux.com> was registered on April 19, 1999 and addresses its business website (Annexes 4, 5 and 8 to the Complaint).

The disputed domain names were registered on May 9, 2025 for <velux345.com>, on May 10, 2025 for <velux345.org> and <velux345.net>, on May 11, 2025 for <velux345.info>, on May 17, 2025 for <velux345.co>, and on May 25, 2025 for <velux345.vip> and <velux345.live> (Annexes 2.1 and 2.2 to the Complaint).

Prior to filing the Complaint all disputed domain names resolved to websites featuring similar Thai gambling and adult content (Annex 3 to the Complaint).

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant asks for consolidating the disputes against different disputed domain name registrants in a single proceeding since there is a set of indicators that suggest that the disputed domain names were registered by the same entity.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the distinctive VELUX mark in which the Complainant has rights. The only difference to the VELUX mark is the number “345” as suffix to the VELUX mark. The mere addition of this number to the Complainant's trademark does

not negate the confusing similarity between the disputed domain names and the Complainant's trademark under the Policy.

Furthermore, the Complainant notes that the Respondents do not have any rights or legitimate interests in the disputed domain names. The Respondents are not linked to the Complainant in any way whatsoever and have never been authorized by the Complainant to register domain names that are similar to its trademark. The Respondents are moreover not commonly known by or associated with the disputed domain names and do not use them for any bona fide offering of goods or services.

The Complainant states that the disputed domain names were registered and used in bad faith by the Respondents. The disputed domain names were registered decades after the Complainant has established rights in the mark VELUX and this mark is distinctive and well known; hence, the Respondents must have been aware of the Complainant and its rights in the mark VELUX when registering the disputed domain names.

Further, the Complainant contends that the disputed domain names resolved to a website featuring gambling and adult content, which provides evidence of the Respondents' bad faith registration and use of the disputed domain names with the deliberate intention of causing confusion to Internet users as to an association between the disputed domain names and the Complainant; and this can only be explained as an attempt to attract, for commercial gain, Internet users to this website by creating a likelihood of confusion with the Complainant's trademark as to the source, affiliation, or endorsement of the Respondents' websites.

## **B. Respondents**

The Respondents did not formally reply to the Complainant's contentions. The Respondent saruch limnaimeung sent an email communication on August 11, 2025 stating that: "We have removed all the domains you have reported from our system. We apologize for the inconvenience".

## **6. Consolidation: Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that:

- the disputed domain names were registered within 16 days (between May 9, 2025 and May 25, 2025);
- with the exception of <velux345.com>, all disputed domain names are registered with NameCheap, Inc.;
- the disputed domain names have an identical naming pattern – adding the number "345" as suffix to the VELUX mark of the Complainant;
- the disputed domain names <velux345.co> and <velux345.net> were both registered by the same person, "Sarinee Ritsong", however with different organization names, addresses, phone numbers and email addresses;

- the disputed domain names were all registered by users based in Thailand, with the address in the Whois information of <velux345.com> including both Thailand and U.S. Similarly, the phone numbers for all the disputed domain names use the Thailand country-code +66, except for <velux345.info>, which features the U.S. country-code +1;
- prior to filing of the Complaint, all disputed domain names resolved to websites featuring Thai gambling and adult content; and
- finally, the Respondents did not react in any way to the proceedings – the Respondents neither objected to the consolidation request nor filed any formal Response.

Therefore, as regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

## **7. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests with respect to the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

### **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. This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant submitted evidence which establishes rights in the trademark VELUX.

Since it has long been held that generic Top-Level Domains (“gTLDs”) are generally disregarded when evaluating the confusing similarity of a disputed domain name, the crucial question in this case is whether the second-level of the disputed domain names “velux345”, is confusingly similar to the Complainant’s trademark VELUX. The Panel finds that the term “velux345” clearly is confusingly similar to the Complainant’s trademark because the VELUX mark is recognizable within the disputed domain names, and the addition of the number “345” as suffix to the VELUX mark does not prevent a finding of confusing similarity since the VELUX trademark is clearly recognizable within the disputed domain names.

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 the disputed domain names.

While 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 often impossible 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. 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 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, since it has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register the disputed domain names or use its trademark in any manner.

The Respondent is not known under the disputed domain names and the disputed domain names are not being used for a bona fide offering of goods or services; rather, it appears most likely that the disputed domain names were specifically chosen to falsely suggest an affiliation with the Complainant.

Furthermore, the composition of the disputed domain names, comprising the Complainant's mark VELUX together with the number "345" as suffix, coupled with the (prior) use of the disputed domain names, is likely to mislead Internet users, cannot be considered fair use – the opposite is the case: such conduct does not give rise to rights or legitimate interests.

Finally, the Respondent did not provide any evidence showing its rights or legitimate interests in the disputed domain names – it did not file a response and has therefore not rebutted the Complainant's contentions.

Based on the available records, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

As stated in many decisions rendered under the Policy (e.g. *Robert Ellenbogen v. Mike Pearson*, WIPO Case No. [D2000-0001](#)) both conditions, registration and use in bad faith, must be demonstrated; consequently, the Complainant must show that:

- the disputed domain names were registered by the Respondent in bad faith, and
- the disputed domain names are being used by the Respondent in bad faith.

(i) The Complainant has established rights in the mark VELUX many years before the registration of the disputed domain names. Furthermore, the Complainant is using the mark VELUX in its primary domain name <velux.com>, to host its business website.

Because of the reputation and distinctiveness of the VELUX mark, it is inconceivable for this Panel that the Respondent has registered the disputed domain names without knowledge of the Complainant's rights. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous trademark by an unaffiliated entity (as it is in the present case) can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Finally, a simple online search for "velux" would have shown the Complainant and its marks. [WIPO Overview 3.0](#), section 3.2.2.

Therefore, the Panel is convinced that the disputed domain names were registered in bad faith by the Respondent.

(ii) The Complainant has put forward evidence that the disputed domains were used by the Respondent prior to filing of the Complaint to resolve to websites featuring gambling and adult content.

This clearly disrupts the Complainant's business and shows that the Respondent intentionally attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, which constitutes bad faith use.

The evidence and documents produced and put forward by the Complainant together with the fact that the Respondent has failed to file a formal Response and therefore failed to present any evidence of any good

faith registration and use with regard to the disputed domain names clearly prove that the disputed domain names were registered and are used by the Respondent in bad faith under paragraph 4(a)(iii) of the Policy.

Based on the available record, 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 names <velux345.co>, <velux345.com>, <velux345.info>, <velux345.live>, <velux345.net>, <velux345.org>, and <velux345.vip> be transferred to the Complainant.

*/Peter Burgstaller/*

**Peter Burgstaller**

Sole Panelist

Date: September 30, 2025