

ADMINISTRATIVE PANEL DECISION

VKR Holding A/S v. Evgeniy Surovegin, Chastnoe predpriyatie Krovelnyy
vybor

Case No. D2025-3108

1. The Parties

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

The Respondent is Evgeniy Surovegin, Chastnoe predpriyatie Krovelnyy vybor, Belarus.

2. The Domain Name and Registrar

The disputed domain name <velux.one> (the “Domain Name”) is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 5, 2025. On August 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 5, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the 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 Complainant on August 6, 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 August 11, 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 August 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 2, 2025.

The Center appointed Piotr Nowaczyk as the sole panelist in this matter on September 5, 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 the parent company of the VELUX Group. Through its subsidiaries, the Complainant offers roof windows, skylights, vertical windows and systems, thermal solar energy systems, decoration and sun-screening products, as well as ventilation and indoor climate solutions. The VELUX Group currently operates in 40 countries.

The Complainant is the owner of numerous VELUX trademark registrations, including:

- the International Trademark Registration for VELUX (figurative) No. 928560, registered on March 28, 2007;
- the European Union Trademark Registration for VELUX (word) No. 000651869, registered on July 16, 2004; and
- the European Union Trademark Registration for VELUX (figurative) No. 006559132, registered on October 30, 2008.

The Complainant's official domain name is <velux.com>, which incorporates its VELUX trademark.

The Domain Name was registered on July 10, 2023.

At the time of filing of the Complaint, and as of the date of this Decision, the Domain Name resolved to a website displaying the VELUX logo and products, and offering them for sale (the "Website").

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 Domain Name.

First, the Complainant contends that the Domain Name is identical to the trademark in which the Complainant has rights.

Second, the Complainant argues that the Respondent has neither rights nor legitimate interests in the Domain Name.

Third, the Complainant submits that the Domain Name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy places a burden on the Complainant to prove the presence of three separate elements, which can be summarized as follows:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

The requested remedy may only be granted if the above criteria are met. At the outset, the Panel notes that the applicable standard of proof in UDRP cases is the “balance of probabilities” or “preponderance of the evidence”. See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”).

A. Identical or Confusingly Similar

Under the first element, the Complainant must establish that the Domain Name is identical or confusingly similar to the trademark in which the Complainant has rights.

The Complainant holds valid registrations for the VELUX trademark. The Domain Name incorporates this trademark in its entirety. As numerous UDRP panels have held, incorporating a trademark in its entirety is sufficient to establish that a domain name is identical or confusingly similar to that trademark (see *PepsiCo, Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I.) and EMS COMPUTER INDUSTRY (a/k/a EMS)*, WIPO Case No. [D2003-0696](#)).

The generic Top-Level Domain (“gTLD”) “.one” in the Domain Name is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. See section 1.11.1 of the [WIPO Overview 3.0](#).

Given the above, the Panel finds that the Domain Name is identical to the Complainant’s VELUX trademark. Thus, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Under the second element, the Complainant must prove that the Respondent has no rights or legitimate interests in the Domain Name.

A right or legitimate interest in the Domain Name may be established, in accordance with paragraph 4(c) of the Policy, if the Panel finds any of the following circumstances:

- (i) that the Respondent has used or made preparations to use the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that the Respondent is commonly known by the Domain Name, even if the Respondent has not acquired any trademark rights; or
- (iii) that the Respondent is making a legitimate noncommercial or fair use of the Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

In the present case, the Complainant’s VELUX trademark registrations predate the Respondent’s registration of the Domain Name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the VELUX trademark or to register the Domain Name incorporating this trademark.

Moreover, it results from the evidence on record that the Respondent does not make use of the Domain Name in connection with a bona fide offering of goods or services, nor does it make a legitimate noncommercial or fair use of the Domain Name.

The Panel notes that, both at the time of filing of the Complaint and as of the date of this Decision, the Domain Name resolved to the Website displaying the Complainant's VELUX (word and figurative) trademark and official product images, and offering products bearing that trademark. The Website is purportedly operated by the entity Частное торговое унитарное предприятие "Кровельный выбор" (Private Trading Unitary Enterprise "Krovelny Vybor"). While it is unclear whether such entity actually exists and whether any goods have actually been sold through the Website, regardless of whether the Respondent registered that as a corporate name, there is no evidence before the Panel, in the absence of any Response, to suggest that the Respondent has been commonly known by the Domain Name.

For completeness, prior UDRP panels have recognized, further to section 2.8.1 of the [WIPO Overview 3.0](#), that resellers, distributors, or service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods or services and thus have a legitimate interest in such a domain name. Outlined in the "Oki Data test", the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and
- (iv) the respondent must not try to "corner the market" in domain names that reflect the trademark.

In the present case, the above referred requirements are not met. The Domain Name, along with the Website, falsely suggests an affiliation with the Complainant and its VELUX trademark. The Panel believes that the use of the Complainant's trademark in the Domain Name and on the Website, together with the Complainant's official marketing materials, misleads Internet users regarding the lack of relationship between the Respondent and the Complainant, as Internet users may falsely believe that the Respondent is an entity associated with the Complainant. At the same time, the relationship between the Respondent and the Complainant (or a lack thereof) is not disclosed on the Website. This perpetuated the false impression of a relationship between the Respondent and the Complainant.

Additionally, according to the Complainant, it is unclear whether the products offered on the Website are genuine and originate from the Complainant. It is not necessary, however, for the Panel to make any ultimate determination as to the nature of the goods, as the evidence shows the Respondent has attempted to pass itself off as the Complainant.

Given the above, there are no circumstances in evidence which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests of the Respondent in respect of the Domain Name. Thus, there is no evidence in the case record that refutes the Complainant's prima facie case. In sum, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under the third element, the Complainant must prove that the Domain Name has been registered and is being used in bad faith.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1 of the [WIPO Overview 3.0](#).

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use includes, without limitation:

- (i) circumstances indicating the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding domain name, provided it is a pattern of such conduct; or
- (iii) circumstances indicating that the domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with a trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on a website or location.

As indicated above, the Complainant's rights in the VELUX trademark predate the registration of the Domain Name. This Panel finds that the Respondent was or should have been aware of the Complainant's trademark at the time of registration. This finding is supported by the composition of the Domain Name, which consists solely of the VELUX trademark, the use of the VELUX trademark on the Website, and the promotion of goods bearing this trademark.

Moreover, it has been proven to the Panel's satisfaction that the Complainant's VELUX trademark is well known in its industry. Thus, the Respondent could not reasonably ignore the reputation of goods under this trademark, while offering goods bearing the VELUX trademark. In sum, the Respondent, more likely than not, registered the Domain Name with the intention of taking unfair advantage of the reputation of the Complainant's VELUX trademark.

Furthermore, at the time of filing of the Complaint, and as of the date of this Decision, the Domain Name has been used in bad faith to resolve to the Website, displaying the VELUX logo and products, and offering them for sale, without disclosing its lack of relationship with the Complainant. The Panel finds, having regard to the totality of the circumstances of the case, that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Website.

In addition, as evidenced by the Complainant, the Domain Name has been configured with MX records to enable sending and receiving emails from the Domain Name, which creates a risk of phishing (see *W.W. Grainger, Inc. v. WhoisGuard Protected, WhoisGuard, Inc. / Daniel Thomas*, WIPO Case No. [D2020-1740](#)).

For the reasons discussed above, the Panel finds the third element of the Policy has been established.

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 Domain Name <velux.one> be transferred to the Complainant.

/Piotr Nowaczyk/

Piotr Nowaczyk

Sole Panelist

Date: September 19, 2025