

ADMINISTRATIVE PANEL DECISION

SF Marina System International AB v. Affirmed Home Care, Inc.,

alfaiucc alfaiucc

Case No. D2025-3130

1. The Parties

The Complainant is SF Marina System International AB, Sweden, represented by Abion AB, Sweden.

The Respondent is Affirmed Home Care, Inc., alfaiucc alfaiucc, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <sfmarinas.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 6, 2025. On August 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 6, 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 (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 8, 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 13, 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 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 9, 2025.

The Center appointed Yuri Chumak as the sole panelist in this matter on September 19, 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, SF Marina System International AB, is a Swedish company based in Göteborg, Sweden, and is part of the SF Marina group. Established in 1918, the SF Marina group is a provider of marina design and development solutions, specializing in floating breakwaters and concrete docks. Over the past century, it has installed more than 150,000 berths in over 60 countries, becoming recognized as a global leader in the field.

The Complainant owns numerous trademark registrations for the mark SF MARINA, which predate the registration of the disputed domain name. These include:

- International Registration No. 1,714,276 for SF MARINA, registered May 17, 2022 (Classes 6, 19, 37, and 42).
- United States Registration No. 7,341,857 for SF MARINA, registered April 2, 2024 (Classes 6, 19, 37, and 42).
- Brazil Trademark No. 914733966 for SF MARINA, registered April 16, 2019 (Class 19).

The Complainant and its group also operate numerous domain names reflecting the SF MARINA mark, including <sfmarina.com> (registered 1998), which resolves to the Complainant's official website used to promote its products and services.

The disputed domain name was created on February 19, 2025.

The disputed domain name does not resolve to an active website. However, evidence shows that in February 2025 it was used to generate an email address mimicking that of a Complainant's employee. Using this address, the Respondent fabricated an email thread that incorporated details from the Complainant's legitimate domain name, and presented it as a genuine exchange concerning payment of an invoice. The fraudulent messages included the Complainant's employee's name in both the sender field and signature, thereby giving the appearance of authentic correspondence.

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 submits that the disputed domain name is confusingly similar to its SF MARINA registered trademark. The addition of the letter "s" constitutes a minor misspelling designed to capture Internet users who may mistype or misread the Complainant's official domain name, a practice commonly referred to as typosquatting.

The Complainant further argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant, has not been licensed or authorized to use the SF MARINA mark, and is not commonly known by the disputed domain name. Instead, the disputed domain name has been used to impersonate the Complainant and one of its employees in a fraudulent phishing scheme, which can never confer rights or legitimate interests under the Policy.

Finally, the Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark rights long predate the Respondent's registration of the disputed domain name in February 2025. By selecting a domain name that incorporates the Complainant's trademark with only a minor variation, and using it to deceive third parties into believing communications originated from the Complainant, the Respondent has demonstrated a clear intent to exploit the goodwill associated with the SF MARINA mark. The use of inaccurate or inconsistent registrant information further supports the inference of 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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. The mere addition of the letter "s" does not prevent a finding of confusing similarity, as the mark remains clearly recognizable. Accordingly, the disputed domain name is confusingly similar to the 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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed phishing, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 disputed domain name does not resolve to an active website. However, the record shows that the disputed domain name has been used in connection with a phishing scheme impersonating the Complainant, which falls within paragraph 4(b)(iv) of the Policy as an attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. The disputed domain name also incorporates the Complainant's well-known mark in its entirety with only a minor alteration ("s"), further reinforcing the likelihood of confusion.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In this regard, the Panel also considers that the Complainant's trademark rights significantly predate the Respondent's registration of the disputed domain name, and that the Complainant enjoys a strong reputation and online presence. In these circumstances, the Respondent could not plausibly have been unaware of the Complainant's mark when registering the disputed domain name. In addition, the registrant information disclosed by the Registrar contains discrepancies, including the combination of different names and locations, which the Complainant submits are inaccurate. While not determinative on their own, such irregularities support the inference of bad faith when considered together with the other circumstances of this case.

Panels have held that the use of a domain name for illegitimate activity, here, claimed phishing, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. In particular, the disputed domain name was used to generate an email address mimicking that of a Complainant's employee, through which fraudulent messages were sent to a third party.

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

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 <sfmarinas.com> be transferred to the Complainant.

/Yuri Chumak/

Yuri Chumak

Sole Panelist

Date: October 2, 2025