

## ADMINISTRATIVE PANEL DECISION

Q-Devco Sp. z o.o. v. Andrzej Dominik, CAR TRONIC Andrzej Dominik  
Case No. D2025-3320

### 1. The Parties

The Complainant is Q-Devco Sp. z o.o., Poland, represented by Wolf Theiss Attorneys at Law, Poland.

The Respondent is Andrzej Dominik, CAR TRONIC Andrzej Dominik, Poland, self-represented.

### 2. The Domain Names and Registrar

The disputed domain names <q-devco.com> (the “First Domain Name”), <q-devco.net> (the “Second Domain Name”), <q-devco.online> (the “Third Domain Name”), and <q-devco.xyz> (the “Fourth Domain Name”) (collectively referred to as the “Domain Names”) are registered with Hostinger Operations, UAB (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 18, 2025. On August 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the First and Second Domain Names. On August 20, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the First and Second Domain Names which differed from the named Respondent (Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 20, 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 21, 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 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 15, 2025. The Response was filed with the Center on September 15, 2025.

On September 9, 2025, the Complainant requested that the Third Domain Name be added to the Complaint.

The Center appointed Piotr Nowaczyk as the sole panelist in this matter on September 24, 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.

On September 26, 2025, the Complainant filed an unsolicited supplemental submission in reply to the Respondent's Response. On September 30, 2025, the Respondent filed an unsolicited submission in reply to the Complainant's supplemental filing of September 26, 2025. On October 6, 2025, the Complainant filed a further unsolicited submission addressing the Respondent's supplemental filing of September 30, 2025.

On October 22, 2025, the Panel issued Procedural Order No. 1, noting that the Complainant's supplemental filings of September 9, September 26, and October 6, 2025, referred to the addition of the Third Domain Name to the current proceedings.

The Panel further informed that, considering the Third Domain Name appeared *prima facie* to have been registered by the same or a related Respondent, it had instructed the Center to request Registrar verification in relation to the Third Domain Name. On October 17, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is the registrant of the Third Domain Name.

In view of the above, the Panel granted the Respondent until October 28, 2025, to provide comments on the Complainant's request for addition of the Third Domain Name to the proceedings and/or to file a Response in respect of the Third Domain Name, as it deemed appropriate.

On October 28, 2025, the Respondent filed a Response in respect of the Third Domain Name.

On October 31, 2025, the Complainant submitted a supplemental filing requesting that the Fourth Domain Name be added to the proceedings and providing unsolicited comments on the Respondent's Response in relation to the Third Domain Name.

Considering that the Fourth Domain Name appeared to have been *prima facie* registered by the Respondent, the Panel instructed the Center to request Registrar verification for the Fourth Domain Name. On November 4, 2025, the Registrar transmitted its verification response confirming that the Respondent is the registrant of the Fourth Domain Name.

On November 6, 2025, the Panel issued Procedural Order No. 2, granting the Respondent until November 11, 2025, to provide comments on the Complainant's request to add the Fourth Domain Name to the proceedings and/or to file a Response in respect of the Fourth Domain Name, as it deemed appropriate.

On November 10, 2025, the Respondent submitted a request concerning the domain name <qdevco.pl>, along with a request for an extension of time to file a Response in respect of the Fourth Domain Name.

On November 12, 2025, the Complainant submitted an unsolicited supplemental filing regarding the Respondent's request of November 10, 2025.

On November 13, 2025, the Respondent submitted an unsolicited supplemental filing regarding the domain name <qdevco.pl>. On November 14, 2025, the Center responded to this filing, informing that it could not comment on the domain name <qdevco.pl>, as it is not included in the present dispute.

On November 17, 2025, the Respondent filed a Response in respect of the Fourth Domain Name.

On November 18, 2025, the Respondent submitted a further unsolicited supplemental filing regarding the domain name <qdevco.pl>. On November 19, 2025, the Complainant submitted an unsolicited supplemental filing in response to the Respondent's communication of November 18, 2025.

#### **4. Factual Background**

The Complainant is a limited liability company incorporated in Poland in 2021. It operates in the field of design and manufacturing of electronic components for electric drivers used in gates, wickets, turnstiles, and similar products. The Complainant also manufactures steel and metal elements and is engaged in the production of plastic parts, including turning and milling operations.

The Complainant is affiliated with a Swedish capital group, Halsang ("Halsang Group"). Since January 2025, a sole shareholder of the Complainant has been JA Invest AB, a company registered in Sweden. Both Halsang Group and JA Invest AB are affiliated entities.

Before 2025, apart from JA Invest, there were two other shareholders of the Complainant, including the Respondent, who also served as the sole Member and President of the Management Board of the Complainant until April 2024.

Since 2023, a corporate dispute has existed between Halsang Group, JA Invest, and the Respondent.

On February 21, 2024, JA Invest and the Respondent entered into an agreement under which the Respondent agreed to transfer his shares in the Complainant's company to JA Invest. Subsequently, on March 18, 2024, a separate agreement was concluded for the sale and transfer of the First Domain Name to the Complainant. However, the transfer has not been completed until now.

The Complainant asserts common law rights in the Q-DEVCO trademark. According to the Complainant, its business name and service mark Q-DEVCO has been used continuously and extensively in commerce in connection with the design and manufacture of electronic components for electric drivers and related products. Through longstanding use, investment, and market presence, the Complainant claims that the Q-DEVCO trademark has acquired distinctiveness, goodwill, and recognition among customers in Poland and Sweden.

The First Domain Name was registered on October 23, 2021.

The Second Domain Name, Third Domain Name, and Fourth Domain Name were registered on October 28, 2024.

The First Domain Name was originally used for the Complainant's legitimate business website and email accounts.

The Complainant contends that at the time of filing the Complaint, the First Domain Name redirected to the Second Domain Name, which hosted a website containing material that the Complainant characterizes as defamatory and harmful to its reputation (the "Website"). The Website included multiple statements accusing the Complainant and the Halsang Group of unlawful conduct, including alleged misappropriation of goods and designs, deletion of company data, non-payment for services, and indebtedness. The Website also included a link redirecting to the Respondent's own business website.

As the proceedings progressed, the Complainant noted that the First and Second Domain Names had been redirected to the Third Domain Name, which in turn resolved to the Website. Later, the Complainant observed that the First, Second, and Third Domain Names were redirected to the Fourth Domain Name, which likewise resolved to the Website.

As of the date of this Decision, the First Domain Name, the Second Domain Name and the Third Domain Name resolve to the Fourth Domain Name, which displays 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 Names.

First, the Complainant contends that the Domain Names are identical to the Q-DEVCO business name and unregistered service mark in which it has rights. The Complainant asserts that it operates under the Q-DEVCO mark in the design and manufacture of electronic components for electric drives, and that the mark is distinctive and well known in its industry.

Second, the Complainant argues that the Respondent, its former shareholder and management board president, has neither rights nor legitimate interests in the Domain Names. The Complainant states that the Respondent registered the First Domain Name in his own name while acting on behalf of the Complainant and was later contractually obliged to transfer it to the Complainant in March 2024 but failed to do so. It adds that the First, Second, and Third Domain Names, registered later by the Respondent, redirect to the Fourth Domain Name which hosts the Website containing false and defamatory statements about the Complainant and the Halsang Group. The Complainant asserts that such use cannot confer any rights or legitimate interests.

Third, the Complainant submits that the Domain Names were registered and are being used in bad faith. The Complainant argues that the Respondent registered and has used the Domain Names to mislead users, damage the Complainant's reputation, and exert pressure in connection with an ongoing business dispute.

### **B. Respondent**

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the Domain Names.

The Respondent asserts that he lawfully registered the First Domain Name in 2021, as well as the Second, Third, and Fourth Domain Names in 2024. He claims to have created the Q-DEVCO name and logo and to have personally financed the Complainant's website, graphic design, and product materials. The Respondent further argues that the Complainant and the Halsang Group failed to pay for the goods and projects that he supplied, as well as for the costs related to the Domain Names. The Respondent maintains that the Website to which the Domain Names redirect contains factual information serving as a legitimate warning to potential business partners. The Respondent denies that the Website's content is defamatory. The Respondent claims that the Complainant and Halsang Group misappropriated his projects, deleted his company's data, and took possession of his equipment. The Respondent also refers to pending legal proceedings in Poland related to these issues.

The Respondent concludes that he has legitimate interests in the Domain Names and that he has acted in good faith. The Respondent finally requests that the Panel finds the Complaint to constitute an attempt at reverse domain name hijacking.

## **6. Discussion and Findings**

### **6.1. Preliminary Matters – Addition of Domain Names**

On September 9, 2025, the Complainant requested that the Third Domain Name be added to the Complaint. The Complainant's further supplemental filings of September 26, and October 6, 2025, also referred to the addition of the Third Domain Name to the current proceedings. On October 22, 2025, the Panel granted the Respondent until October 28, 2025, to provide comments on the Complainant's request for addition of the Third Domain Name to the proceedings and/or to file a Response in respect of the Third Domain Name. On

October 28, 2025, the Respondent filed a Response in respect of the Third Domain Name.

Subsequently, on October 31, 2025, the Complainant requested that the Fourth Domain Name be added to the Complaint and provided unsolicited comments on the Respondent's Response in relation to the Third Domain Name. On November 6, 2025, the Panel granted the Respondent until November 11, 2025, to provide comments on the Complainant's request to add the Fourth Domain Name to the proceedings and/or to file a Response in respect of the Fourth Domain Name. Following an extension of the deadline, the Respondent filed a Response concerning the Fourth Domain Name on November 17, 2025.

The Rules do not explicitly provide for a complaint to be amended after the commencement of the proceeding to include additional domain names. Requests for addition of domain names to a complaint after it has been notified to the respondent and the proceedings have formally commenced are addressed by the panel on appointment. See section 4.12.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

In the present case, the Panel finds that the Complainant holds relevant common law rights in the Q-DEVCO trademark, as further discussed in section 6.3.A. of this Decision, and that the Third and Fourth Domain Names incorporate this trademark in its entirety. Moreover, the Registrar has confirmed that the Third and Fourth Domain Names were registered by the same Respondent as the First and Second Domain Names. Furthermore, on October 28, 2025, and November 17, 2025, the Respondent filed Responses in respect of the Third and Fourth Domain Names. Finally, the Panel considers that the addition of the Third and Fourth Domain Names to these proceedings is fair and equitable to both Parties.

Accordingly, the Panel grants the Complainant's request that the Third and Fourth Domain Names be added to the Complaint.

## **6.2. Supplemental Filings**

On September 26, 2025, the Complainant filed an unsolicited supplemental submission in reply to the Respondent's Response. On September 30, 2025, the Respondent filed an unsolicited submission in reply to the Complainant's supplemental filing of September 26, 2025. On October 6, 2025, the Complainant filed a further unsolicited submission addressing the Respondent's supplemental filing of September 30, 2025.

Subsequently, on October 31, 2025, the Complainant provided unsolicited comments on the Respondent's Response in relation to the Third Domain Name.

Next, on November 10, 2025, the Respondent submitted a request concerning the domain name <qdevco.pl>. On November 12, 2025, the Complainant submitted an unsolicited filing regarding the Respondent's request of November 10, 2025. On November 13, 2025, the Respondent submitted a further unsolicited filing regarding the domain name <qdevco.pl>. On November 14, 2025, the Center responded to this filing, informing that it could not comment on the domain name <qdevco.pl>, as it is not included in the present dispute.

Moreover, on November 18, 2025, the Respondent submitted an unsolicited filing regarding the domain name <qdevco.pl>. On November 19, 2025, the Complainant submitted an unsolicited filing in response to the Respondent's communication of November 18, 2025.

The Panel notes that the Rules provide for the submission of the Complaint by the Complainant and the Response by the Respondent. No express provision is made for supplemental filings by either Party, except in response to a deficiency notification or if requested by the Center or the Administrative Panel.

Paragraphs 10 and 12 of the Rules in effect grant the Panel discretion to determine the admissibility of supplemental filings (including further statements or documents) received from either Party. Thus, it is in the discretion of the Panel to determine whether to consider and/or admit any supplemental filing in rendering its decision.

UDRP panels have repeatedly affirmed that the party's submission of supplemental filing or its request to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some "exceptional" circumstance). See section 4.6 of the [WIPO Overview 3.0](#).

Having reviewed the record, the Panel considers that the Parties' supplemental submissions of September 26, 2025, September 30, 2025, and October 6, 2025, primarily reiterate or expand upon arguments already contained in the Complaint and the Response. Nevertheless, the Panel finds that certain aspects of the supplemental filings, particularly those clarifying the Parties' factual assertions and responding to new allegations, may assist in understanding the dispute.

Accordingly, the Panel admits the Complainant's September 26, 2025, submission because it addresses new factual and legal allegations introduced in the Response. Next, the Panel admits the Respondent's September 30, 2025, submission, as it replies to matters raised in the Complainant's filing of September 26, 2025.

Moreover, the Panel considers the Respondent's submissions of October 28, 2025, and November 17, 2025, as they were explicitly requested by Panel's Procedural Orders No. 1 and No. 2.

The Panel does not admit the Complainant's submission of October 6, 2025, as it largely reiterates arguments already presented and does not introduce material facts that could not reasonably have been raised earlier.

Furthermore, the Panel does not admit the Complainant's submission of October 31, 2025, insofar as it provided unsolicited comments on the Respondent's Response in relation to the Third Domain Name, which essentially reiterated arguments already presented.

Finally, the Panel does not admit the Parties' submissions of November 10, 12, 13, 18, and 19, 2025, as they relate primarily to the domain name <qdevco.pl>, which is not part of this proceeding.

### **6.3. Substantive Matters – Three Elements**

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 Names are 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 Names; and
- (iii) the Domain Names have been registered and are 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 3.0](#).

#### **A. Identical or Confusingly Similar**

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

The Complainant relies on its common law rights in the Q-DEVCO trademark. It is well-established that the term "trademark or service mark" as used in UDRP paragraph 4(a)(i) encompasses both registered and unregistered trademarks. See section 1.1 of the [WIPO Overview 3.0](#).

To establish unregistered or common law trademark rights for purposes of the UDRP, the Complainant must show that its trademark has become a distinctive identifier which consumers associate with the Complainant's goods and/or services. See section 1.3 of the [WIPO Overview 3.0](#).

The Panel considers that the Complainant has demonstrated such acquired distinctiveness. The Complainant has shown that it has used the designation Q-DEVCO continuously as its official business name and trade identifier since its incorporation in 2021, and that this name has been formally registered in the Polish commercial register. The evidence shows active use of the Q-DEVCO trademark in connection with its design and manufacturing activities for electronic components and control systems for gates and related products, as well as in marketing materials featuring the Q-DEVCO trademark and in substantial revenues derived from goods sold under this name. In sum, the Complainant has demonstrated that Q-DEVCO trademark functions as a distinctive identifier of its goods and services.

Accordingly, the Panel therefore finds that the Complainant has established unregistered trademark rights in the Q-DEVCO trademark for the purposes of the Policy.

The Domain Names incorporate the Complainant's Q-DEVCO unregistered 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.

The generic Top Level Domains ".com", ".net", ".online", and ".xyz" in the Domain Names are viewed as a standard registration requirement and as such are 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 Names are identical to the Complainant's unregistered Q-DEVCO 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 Names.

A right or legitimate interest in the Domain Names 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.

According to the well-established line of case law in UDRP proceedings, although the overall burden of proof rests with the Complainant, after it has been demonstrated *prima facie* that the Respondent lacks rights or a legitimate interest, the burden of production shifts to the Respondent. It is then for the Respondent to demonstrate that it has rights or a legitimate interest in the Domain Names (see e.g.: *Document Technologies, Inc. v. International Electronic Communications Inc.*, WIPO Case No. [D2000-0270](#); *Julian Barnes v. Old Barn Studios Limited*, WIPO Case No. [D2001-0121](#)).

In the circumstances of this case, the Panel finds that the Complainant has made a *prima facie* showing that the Respondent has no rights or legitimate interests in the Domain Names. The Respondent, in turn, has not demonstrated that any of the circumstances enshrined in the Policy that could establish rights or legitimate

interests are present in this case.

The Respondent bases its claims of rights or legitimate interests in the Domain Names essentially on the assertion that he personally registered and paid for the Domain Names and related services. The Respondent states that he created the Q-DEVCO name and logo and commissioned the Complainant's official website design at his own expense. He asserts that the First Domain Name was initially used for legitimate business purposes, including the Complainant's website and email accounts, during his cooperation with the Complainant. He further claims that the Second, Third and Fourth Domain Names are used to publish what he describes as factual information and warnings concerning the Complainant. The Respondent maintains that he retained control of the Domain Names due to the Complainant's failure to pay for goods and projects he supplied, as well as for the Domain Names themselves.

As indicated in section 2.11 of the [WIPO Overview 3.0](#), panels tend to assess claimed respondent rights or legitimate interests in the present, i.e., with a view to the circumstances prevailing at the time of the filing of the complaint. Without prejudice to the complainant's duty to establish that a domain name has been registered and used in bad faith, a respondent claiming a right or legitimate interest in a domain name for example based on a prior agreement or relationship between the parties or based on past good-faith use (thus demonstrating merely a past right or legitimate interest) would not necessarily have rights or legitimate interests in the domain name, at the time a decision is rendered.

In the circumstances of the present case, the Panel finds that the Respondent has not used or has not made preparations to use the Domain Names or a name corresponding to the Domain Names in connection with a bona fide offering of goods or services prior to the dispute. Moreover, the Respondent has failed to demonstrate that he is making a legitimate noncommercial or fair use of the Domain Names without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

On the contrary, it is not a disputed circumstance in the case that from the moment of registration of the First Domain Name it was used exclusively for the Complainant's business activity. For the above determination, it is irrelevant that the Respondent was closely related to the Complainant's business activity, in particular as its shareholder or a member of the management board. In fact, the Respondent does not explain how the Domain Names were or could be used other than for the purposes of the Complainant's business activity. The evidence gathered in the case does not indicate that the Domain Names were ever used by the Respondent lawfully, noncommercially or fairly, without the intention of obtaining commercial gain. The fact that the Respondent has managed the First Domain Name for many years as a person affiliated with the Complainant's company does not prejudge his rights or legitimate interest in the Domain Names.

Currently, the First, Second and Third Domain Names resolve to the Fourth Domain Name, which displays the Website containing multiple statements accusing the Complainant and the Halsang Group of unlawful conduct, including alleged misappropriation of goods and designs, deletion of company data, non-payment for services, and indebtedness. The Website also includes a link redirecting to the Respondent's own business website.

UDRP jurisprudence recognizes that the use of a domain name for fair use such as noncommercial free speech, would in principle support a respondent's claim to a legitimate interest under the Policy. To support fair use under UDRP paragraph 4(c)(iii), the respondent's criticism must be genuine and noncommercial. In a number of UDRP decisions where a respondent argues that its domain name is being used for free speech purposes the panel has found this to be primarily a pretext for cybersquatting, commercial activity, or tarnishment. See section of 2.6.1 of the [WIPO Overview 3.0](#).

Moreover, panels find that even a general right to legitimate criticism does not necessarily extend to registering or using a domain name identical to a trademark. Even where such a domain name is used in relation to genuine noncommercial free speech, panels tend to find that this creates an impermissible risk of user confusion through impersonation. See section 2.6.2 of the [WIPO Overview 3.0](#).

In the present case, the Panel does not make any determination as to the veracity or falsity of the statements contained on the Website, but notes that the Domain Names are identical to the Complainant's unregistered Q-DEVCO trademark and are used to publish extensive allegations of unlawful conduct, misappropriation, and indebtedness directed against the Complainant and its affiliate. In these circumstances, noting also the Panel's below findings, the Panel considers the identical composition of the disputed domain names creates an impermissible risk of user confusion such that the Website is insufficient to establish rights or legitimate interests for the purposes of the Policy.

Finally, the Panel considers that the evidence gathered in the case does not indicate that the Respondent is commonly known by the Domain Names. The Respondent has not demonstrated that he has carried out any business activities under this name in his own right, independently of the Complainant's corporate structure.

Accordingly, 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 Names. 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 Names have been registered and are 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.

This requirement may prove to be an obstacle for the complainant in a situation where the disputed domain name is manifestly used in bad faith, but it cannot be shown that its original registration was in bad faith. In addition, the case law on the basis of the UDRP unequivocally rejects the concept of the so-called "retroactive bad faith", i.e., relying on the respondent's subsequent bad faith action in order to demonstrate that the intent to act in bad faith already existed at the time of registration of the domain. See *Olympic Council of Asia v. DEMCO, DEMCO*, WIPO Case No. [D2024-4233](#).

In the present case, there is no conclusive evidence that the Respondent acted in bad faith while registering the First Domain Name. Although the circumstances of the case may suggest that the First Domain Name was registered in the name of the Respondent with the common intention of the Parties that the ultimate right to this domain was to be vested in the Complainant, there is no unambiguous evidence in the case file

confirming that this was indeed the will of the Parties at the time of registration. Therefore, the Panel does not have evidence that would allow it to conclude that more likely than not the Respondent's action in registering the First Domain Name was of a bad faith. The Panel is inclined to believe that the circumstances of the case may indicate that the present dispute, including elements of a corporate dispute, falls outside the scope of a typical UDRP case.

The Panel emphasizes that it does not act as a common court competent for all domain name cases, and the UDRP was not created to resolve all disputes related in any way to domain names. On the contrary, the UDRP has been deliberately limited to a specific type of abuse in the form of so-called cybersquatting. See *The Thread.com, LLC v. Jeffrey S. Poploff*, WIPO Case No. [D2000-1470](#).

In the circumstances, the Panel finds no grounds to conclude that the First Domain Name was registered in bad faith within the meaning of the Policy. Accordingly, the third element of the Policy has not been established with respect to the First Domain Name.

By contrast, the circumstances surrounding the registration of the Second, Third, and Fourth Domain Names materially differ from those relating to the First Domain Name.

The Second, Third, and Fourth Domain Names were registered in 2024, that is, after the deterioration of the Parties' relationship, subsequent management changes, and the Respondent's exit from the Complainant's company. The Second, Third, and Fourth Domain Names were promptly used to publish the Website accusing the Complainant and its affiliate of unlawful conduct and indebtedness. The Website also links to the Respondent's own business website.

The Respondent states essentially that he uses the Domain Names as "leverage" to compel payment and to protect his interests. This shows an intention to pressure the Complainant and to disrupt its business.

On these facts, the Panel finds that there are circumstances indicating that the Second, Third, and Fourth Domain Names were registered in order to prevent the Complainant from reflecting its Q-DEVCO trademark in corresponding domain names, and that they were also registered primarily for the purpose of disrupting the Complainant's business.

Accordingly, and unlike the case of the First Domain Name, the Panel concludes that the Second, Third, and Fourth Domain Names were registered and are being used in bad faith. The third element of the Policy is therefore satisfied with respect to the Second, Third, and Fourth Domain Names.

#### **D. Reverse Domain Name Hijacking**

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the panel finds that the complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the panel shall declare in its decision that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. Section 4.16 of the [WIPO Overview 3.0](#).

Paragraph 1 of the Rules defines Reverse Domain Name Hijacking as "using the Policy in bad faith to attempt to deprive a registered domain-name holder of a domain name". A finding of attempted Reverse Domain Name Hijacking is appropriate only where it should have been clear to a complainant that it could not prove one of the essential elements under the Policy, or where there has been an apparent attempt to mislead the panel, or to bully a respondent into handing over a domain name. See, e.g., *IUNO Advocatpartnerselskab v. Angela Croom*, WIPO Case No. [D2011-0806](#). Reverse Domain Name Hijacking has also been described as occurring "where a respondent's use of a domain name could not, under any fair interpretation of the facts, have constituted bad faith". See *Prime Pictures LLC v. DigiMedia.com L.P.*, WIPO Case No. [D2010-1877](#).

The Panel does not consider that a finding of Reverse Domain Name Hijacking is warranted in this case. While the Complaint has not succeeded under the requirements of the Policy with respect to the First Domain Name, the circumstances do not support the conclusion that it was brought in bad faith or as an abuse of the administrative proceeding.

## **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 Second Domain Name <q-devco.net>, the Third Domain Name <q-devco.online>, and the Fourth Domain Name <q-devco.xyz> be transferred to the Complainant.

The Complaint is denied with respect to the First Domain Name <q-devco.com>.

*/Piotr Nowaczyk/*  
**Piotr Nowaczyk**  
Sole Panelist  
Date: November 22, 2025