

ADMINISTRATIVE PANEL DECISION

Sandvik Intellectual Property AB v. Ruslanbek Dakaev
Case No. D2025-3769

1. The Parties

The Complainant is Sandvik Intellectual Property AB, Sweden, represented by SILKA AB, Sweden.

The Respondent is Ruslanbek Dakaev, the Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <sandvik-rus.com> is registered with Registrar of Domain Names REG.RU LLC (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 17, 2025. On September 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 19, 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 (Unknown / Personal data, cannot be publicly disclosed according to applicable laws) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 19, 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 September 19, 2025.

On September 19, 2025, the Center informed the Parties in Russian and English, that the language of the registration agreement for the disputed domain name is Russian. On September 19, 2025, the Complainant confirmed its request that English be the language of the proceedings. The Respondent did not submit any comment on the Complainant's submission.

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 in Russian and English of the Complaint, and the proceedings commenced on September 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 17, 2025.

The Center appointed Clark W. Lackert as the sole panelist in this matter on October 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.

4. Factual Background

Established in 1862 in Sweden, Sandvik Group, with its principal trademark being the SANDVIK word alone or with a design (the "Mark"), is a worldwide advanced technology engineering group that delivers tailored products and solutions through digitalization, innovation, and sustainable engineering practices. While the majority of Sandvik Group's clientele belongs to the mining and engineering industries (markets to industrial companies throughout the world), the company also supports a range of other sectors such as aerospace, automotive, construction, general engineering, mining, nuclear energy production, oil and gas, process industries, and renewable energy. As stated in its 2024 Annual Report, the Sandvik Group employed over 41,000 individuals and generated revenues of USD 13 billion across 150 countries, holding a portfolio of 8,300 patents and investing approximately USD 500 million in research and development.

The Complainant was founded in 1986 to provide services, including intellectual property consultancy services to the Sandvik Group, and it is a subsidiary of Sandvik AB. In 2005, Sandvik AB implemented a reorganization of ownership and management of intellectual property rights. All Swedish-owned patents and trademarks were transferred to the Complainant. The Complainant holds an extensive international portfolio of trademarks incorporating the Mark, including the following examples:

Jurisdiction	Registration No.	Registration Date
United Kingdom	UK00000025039	October 12, 1880
United States of America	1097910	August 1, 1978
European Union	002423531	April 24, 2003
International Registration	1039878	February 2, 2010
International Registration (figurative)	1506171	November 9, 2018
China	68177954	April 28, 2024

The disputed domain name was registered on November 7, 2024. It resolves to a website in the Russian language prominently displaying the Complainant's trademark and logo, offering the Complainant's products and claiming to be the Complainant's official distributor. The website uses the same favicon as the Complainant's official site.

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.

The domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (Policy, paragraph 4(a)(i); Rules, paragraphs 3(b)(viii), (b)(ix)(1))

In cases where a domain name incorporates a trademark in full, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the latter will normally be considered confusingly similar to that mark (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7). In this case, comparing the trademark with the domain name reveals that the disputed domain name fully incorporates the Complainant’s SANDVIK Mark. As a result of this, the SANDVIK Mark is clearly recognizable within the disputed domain name, making it identical or confusingly similar for purposes of the first element of the UDRP. As the decision in *Sandvik Intellectual Property AB and Seco Tools AB v. Domain Admin, Whois Privacy Corp.*, WIPO Case No. [D2021-3840](#) reads: “[t]he disputed domain name <sandvik-tools.com> is comprised of the words “sandvik” and “tools” combined with the gTLD “.com”. Thus, the Panel finds that the disputed domain name incorporates the Complainants’ SANDVIK trademark entirely. Therefore, the Panel considers that the disputed domain name <sandvik-tools.com> is confusingly similar to the Complainants’ SANDVIK trademark”.

In this case, the inclusion of a hyphen and the term “rus” (commonly understood as a generic geographical designation for the Russian Federation) in the disputed domain name would not prevent a finding of confusing similarity between the Complainant’s SANDVIK Mark and the disputed domain name. Therefore, the SANDVIK Mark remains recognizable, reinforcing the conclusion that the disputed domain name is confusingly similar to the Complainant’s Mark. Where the relevant trademark is recognizable within the disputed domain name, the addition of a geographical term would not prevent a finding of confusing similarity. See section 1.8 of the [WIPO Overview 3.0](#).

Finally, with reference to the generic Top-Level Domain (“gTLD”) “.com”, the Complainant avers that it must be disregarded under the first element confusing similarity test, as it is a standard registration requirement. See [WIPO Overview 3.0](#), section 1.11.1. Given the above, the Complainant requests that the Panel finds the disputed domain name identical or confusingly similar to its SANDVIK Mark for the purposes of satisfying paragraph 4(a)(i) of the Policy.

The Respondent has no rights or legitimate interests in respect of the domain name (Policy, paragraph 4(a)(ii); Rules, paragraph 3(b)(ix)(2))

To the best of the Complainant’s knowledge, the Respondent does not hold any trademark rights for the disputed domain name or the term “sandvik-rus”, nor has it been commonly known by those elements. The Respondent has no affiliation or connection with the Complainant and has not been granted any license or permission to use the SANDVIK brand in any form, including as part of the disputed domain name. Furthermore, the Complainant notes that the disputed domain name and the term “sandvik-rus” have no meaning in the English or Russian languages and Google search results for the disputed domain name and for the term “sandvik-rus” consistently associate them with the Complainant and its products.

The Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services, nor a legitimate noncommercial or fair use. In this case, the disputed domain name resolves to a website in the Russian language in which SANDVIK-branded products are purportedly offered for sale. The Complainant notes that the website hosted by the disputed domain name prominently displays the Complainant’s SANDVIK device mark, has a similar look and feel to the Complainant’s websites, uses a logo similar to part of the Complainant’s device marks, does not contain any note, information or disclaimer in a prominent manner pointing out that the owner of the website had no relationship with the Complainant, and falsely displays the following message in the Russian language: “OFFICIAL SANDVIK DEALER”.

The Complainant has presented a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name for the purposes of satisfying paragraph 4(a)(ii) of the Policy.

The domain name was registered and is being used in bad faith. (Policy, paragraphs 4(a)(iii), 4(b); Rules, paragraph 3(b)(ix)(3))

Under the Policy, bad faith is understood to occur where a respondent “takes unfair advantage of or otherwise abuses a complainant’s mark” (see [WIPO Overview 3.0](#), section 3.1). The Complainant submits that the Respondent has both registered and is using the disputed domain name in bad faith, in accordance with paragraph 4(a)(iii) of the Policy.

Pursuant to [WIPO Overview 3.0](#), section 3.2.1, “[p]articular circumstances panels may take into account in assessing whether the respondent’s registration of a domain name is in bad faith include: [...] (iii) the content of any website to which the domain name directs, including any changes in such content and the timing thereof”. Since the disputed domain name resolves to a website in which the Complainant’s SANDVIK Mark is reproduced on top, and where SANDVIK-branded goods are purportedly offered for sale, it can be concluded that the Respondent knew of the Complainant and registered the disputed domain name in bad faith, in order to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant and its SANDVIK Mark.

Finally, [WIPO Overview 3.0](#), section 3.1.4 states that “[p]anel has consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith”. Since previous decisions under the UDRP have acknowledged the reputation of the SANDVIK Mark for the purposes of the Policy, and the disputed domain name incorporates the Complainant’s SANDVIK Mark in full together with generic elements, its presence in the disputed domain name is alone sufficient to give rise to an inference of bad faith in this case.

In this case, the disputed domain name resolves to a website in which the Complainant’s well-known SANDVIK Mark is reproduced on top, and where SANDVIK-branded goods were purportedly offered for sale, without including any note, information or disclaimer pointing out that the owner of the website has no relationship with the Complainant. Besides, the website has a similar look and feel to the Complainant’s websites and includes the message “Official Sandvik Dealer”. Likewise, this use of the disputed domain name, diverting business from the Complainant to the Respondent, disrupts the Complainant’s business, due to the customer relations issues it creates for the Complainant by purportedly selling goods under the Complainant’s SANDVIK Mark and as one of its official distributors.

In view of all these circumstances, it can be concluded that the disputed domain name was registered and is being used in bad faith. Therefore, the Complainant considers that the third element of the Policy is deemed satisfied and that the conditions set out in paragraph 4(a)(iii) of the Policy are fulfilled.

B. Respondent

The Respondent is in default and did not reply to the Complainant’s contentions

6. Discussion and Findings

Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is Russian. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including: the disputed domain name is exclusively constituted of letters issued from the Latin alphabet, rather than Cyrillic script; the Complainant and the Complainant’s representative are

located in Sweden and have no knowledge of the Russian language but are familiar with English, the use of Russian in this case would place a huge burden on the Complainant due to very expensive translation costs, and the Respondent was a respondent in *Sandvik Intellectual Property AB v. Ruslanbek Dakaev*, WIPO Case No. [D2024-3063](#). In which the language of the proceedings was English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview 3.0](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

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 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. 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.

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 Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's Mark (Policy, paragraph 4(b)(iv)). 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 case, the Respondent has registered the disputed domain name incorporating the Complainant's Mark with the addition of a hyphen and suffix "rus" referring to the Russian Federation.

In addition, the website hosted on the disputed domain name lacks any disclaimer as to the lack of relationship between the Respondent and the Complainant, while offering the Complainant's products, and, on the contrary, falsely claims to be an "Official Sandvik Dealer", which is evidence of registering and using a domain name in bad faith. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 disputed domain name <sandvik-rus.com> be transferred to the Complainant.

/Clark W. Lackert/

Clark W. Lackert

Sole Panelist

Date: October 31, 2025