

ADMINISTRATIVE PANEL DECISION

Vusiongroup v. Danila Tonkikh
Case No. D2025-4152

1. The Parties

The Complainant is Vusiongroup, France, represented by Domgate, France.

The Respondent is Danila Tonkikh, Russian Federation, self-represented.

2. The Domain Name and Registrar

The disputed domain name <vusion.online> 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 October 10, 2025. On October 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 13, 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 (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 October 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. With the same communication, the Center informed the Parties in Russian and English that the language of the registration agreement for the disputed domain name was Russian. On October 20, 2025, the Center sent a reminder to the Complainant inviting it to submit an amendment to the Complaint by October 22, 2025. On the same date, the Complainant asked for an extension of time for the submission of an amendment to the Complaint, and the Center granted an extension of time until October 25, 2025. The Complainant filed an amended Complaint on October 28, 2025. On October 28, 2025, the Complainant confirmed its request that English be the language of the proceedings. The Respondent did not submit any comments on the Complainant's language request.

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 in Russian and English of the Complaint, and the proceedings commenced on October 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. The Respondent filed a Response on October 29, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on November 6, 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 founded in France in 1992 under the name Group SES (“Store Electronic Systems”). In 2014, it formed a strategic alliance with imagotag GmbH, Austria, and changed its name to SES-imagotag. The Complainant developed the VUSION Retail IoT platform for the operation of physical retail stores as automated data-driven digital assets connected in real-time to suppliers and consumers. In 2024, the Complainant changed its name to VUSIONGROUP. According to the Complainant, it is now a global leader in digital solutions for the physical retail business, with 25 offices worldwide and 850 employees. Among its clients are more than 350 large retailers in Europe, Asia and America. In 2024, the Complainant had 1.6 billion order entries, and its sales amounted to EUR 1 billion.

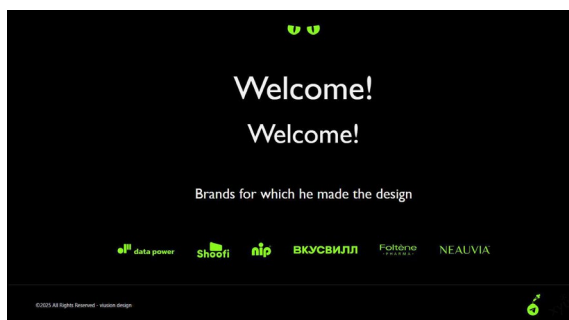
The Complainant is the owner of a number of trademark registrations for VUSION (the “VUSION trademark”), including the following representative registrations:

- the International trademark VUSION with registration No. 1426878, registered on April 26, 2018 for goods and services in International Classes 6, 9, 20, 35, and 42 designating a number of jurisdictions, including the Russian Federation, where the Respondent is located; and
- the European Union trademark VUSION with registration No. 017952747, registered on January 30, 2019, for goods and services in International Classes 6, 9, 20, 35, 38, and 42.

The Complainant operates its official website at the domain name <vusion.com>.

The Respondent claims that it is a freelance designer, but has not provided any details or evidence about its activities.

The disputed domain name was registered on August 10, 2025. It currently resolves to a Russian language parking webpage of the Registrar with the notice: “Домен не привязан к хостингу” (in English, “The domain name is not associated to a hosting service”). According to the evidence submitted with the Complaint, at the time prior to its filing, the disputed domain name resolved to the following webpage:



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 Complainant states that the disputed domain name is confusingly similar to its VUSION trademark, because it incorporates the trademark in its entirety, and the only difference between them is the addition of the letter "i". The Complainant maintains that the addition of a vowel to a trademark, and in particular the vowel "i", is a usual cybersquatting behavior, as this letter is almost silent and the pronunciation of the disputed domain name does not differ with or without it.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because the Complainant has never licensed it to use the VUSION trademark as a domain name or in any other way, the Respondent is not known under the disputed domain name, and there is no active website at the disputed domain name.

The Complainant notes that on August 14, 2025, it sent a cease-and-desist letter to the Respondent, to which the Respondent replied with insults, and after the filing of the Complaint, the Respondent continued with its insults to the Complainant without substantiating any rights or legitimate interests in the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith.

According to it, the Respondent registered the disputed domain name in order to make money or disrupt the Complainant's business by attracting Internet users and creating confusion.

B. Respondent

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

In an informal communication to the Center, the Respondent stated the following:

"I am a freelance designer and registered the domain viusion.online as my personal creative nickname.

It is not related to the company "VUSIONGROUP" or its business.

I did not know about this company when I registered the domain, and I have never used it for any commercial, misleading, or competitive purpose.

The domain was bought simply for personal and artistic use.

I also apologize for my earlier rude responses to the Complainant's representative — I genuinely thought those messages were from scammers trying to take my domain. I have no intention to sell or profit from this domain.

Best regards,
Danila Tonkikh
(viusion.online)"

The Respondent confirmed that the above statement should be regarded as its complete Response.

The Respondent's pre-complaint messages to the Complainant, apart from a number of obscene remarks, which will not be reproduced here, included the following statement:

"I, acting as the legal representative of a designer operating under the name Vision, hereby confirm the following.

My client began using the designation Vision in their professional design activities well before the current dispute arose. The use of this name takes place within the territory of the Russian Federation, where my client is officially registered as a business entity.

At present, the name Vision is actively used in both commercial and creative practice, including public presentations and the execution of contracts. This name is associated with my client's professional reputation and serves as a distinctive designation of their services.

My client is willing to engage in constructive dialogue with your side in order to resolve the matter amicably and avoid legal proceedings. We strongly recommend refraining from any actions that could infringe upon their lawful rights and invite you to discuss potential avenues for resolving this matter."

None of the Respondent's statements was accompanied by evidence.

6. Discussion and Findings

6.1. Procedural issue – Language of the Proceeding

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 requests that the language of the proceedings be English. It notes that the disputed domain name is in Roman characters rather than in Cyrillic, that it corresponds to the VUSION trademark with a typographical error, that the Respondent replied several times in English, showing his perfect understanding of this language, and that an eventual translation of the Complaint in Russian would lead to additional costs and delays. According to the Complainant, the carrying out of the proceedings in English would not be disadvantageous to the Respondent.

The Respondent did not comment on the Complainant's request that the language of the proceedings be English, however, its Response and email communications were all in English.

The webpage to which the disputed domain name previously resolved was also in English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to act 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

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

6.2. Substantive issues

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 the VUSION trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the VUSION trademark is recognizable within the disputed domain name, because the addition of the single letter "i" to it has a negligible effect on its visual appearance and pronunciation.

As discussed in section 1.9 of the [WIPO Overview 3.0](#), a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. Under the second and third elements, panels will normally find that employing a misspelling in this way signals an intention on the part of the respondent (typically corroborated by infringing website content) to confuse users seeking or expecting the complainant.

Here, the disputed domain name consists of the VUSION trademark with the addition of the letter "i" as a second letter after "s" and appears as a misspelling of the trademark. The Respondent has not provided any explanation for the unusual composition of the disputed domain name and how it aligns with its own alleged activities as a freelance designer. In its pre-Complaint correspondence with the Complainant, the Respondent stated that its business name as a designer was "vision" (i.e., a properly spelled dictionary word), rather than "viusion" (a typo of the Complainant's mark). It has not submitted any evidence of its activities and of the name under which it carries them. In this situation, it appears to the Panel as more likely than not that the disputed domain name was chosen not to reflect an alleged professional name of the Respondent, but as an intended misspelling of the VUSION trademark.

Considering the above, the Panel finds that the disputed domain name is confusingly similar to the VUSION trademark for the purposes of the Policy, and that 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 Respondent claims that it is a freelance designer and has registered the disputed domain name as its personal creative nickname.

As discussed in section 2.2 of the [WIPO Overview 3.0](#), non-exhaustive examples of prior use, or demonstrable preparations to use the domain name, in connection with a bona fide offering of goods or services may include: (i) evidence of business formation-related due diligence/legal advice/correspondence, (ii) evidence of credible investment in website development or promotional materials such as advertising, letterhead, or business cards (iii) proof of a genuine (i.e., not pretextual) business plan utilizing the domain name, and credible signs of pursuit of the business plan, (iv) bona fide registration and use of related domain names, and (v) other evidence generally pointing to a lack of indicia of cybersquatting intent. While such indicia are assessed pragmatically in light of the case circumstances, clear contemporaneous evidence of bona fide pre-complaint preparations is required. If not independently verifiable by the panel, claimed examples of use or demonstrable preparations to use the domain name in connection with a bona fide offering of goods or services cannot be merely self-serving but should be inherently credible and supported by relevant pre-complaint evidence.

In its pre-Complaint correspondence with the Complainant, the Respondent (or its representative) stated that it was officially registered as a business entity in the Russian Federation, that it was operating under the name “vision” and was actively using this name in commercial and creative practice, including public presentations and the execution of contracts – the problem with this claim is that the disputed domain name does not match the spelling of the claimed name that the Respondent invoked in his correspondence with the Complainant’s counsel. If that was true, the Respondent would have had evidence at its disposal to prove it. The Respondent has however not submitted any evidence about its alleged activities as a designer and about the name under which it provides its services.

The Panel reviewed the content of the webpage previously associated to the disputed domain name (reproduced in Section 4 of this Decision). This webpage mentioned several “[b]rands for which he made the design”, without identifying the person to whom this reference was made. The Panel conducted limited independent research,¹ and visited the websites of the brands referred to on this webpage, but none of them contained a mention of the disputed domain name, of “viusion design” (the name indicated on the copyright notice of the Respondent’s webpage) or of the Respondent as their designer or otherwise. So, the webpage previously associated to the disputed domain name did not lead the Panel to any information supporting a conclusion that the Respondent may have used or made preparations to use the disputed domain name in connection with any bona fide activities.

As also discussed in section 6.2.A above, it appears as more likely than not that the disputed domain name is an intentional misspelling of the Complainant’s VUSION trademark, rather than a reflection of a professional name, as alleged by the Respondent.

Considering the above, the Panel finds that the Respondent has not shown that it has used or has made preparations to use the disputed domain name in connection with a bona fide offering of goods or services, and the Complainant’s prima facie showing has remained unrebutted.

The Panel therefore 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.

¹ Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.

The disputed domain name appears as an intentional misspelling of the distinctive VUSION trademark, and the Respondent has not submitted any evidence in support of its allegations that it has registered and used the disputed domain name for bona fide activities as a freelance designer. It is notable that in its pre-Complaint correspondence with the Complainant, the Respondent claimed that it was using the name "vision" (rather than "viusion", as one would expect on the basis of the disputed domain name). There is a clear contradiction – beyond the mismatch in the spelling – between this statement and the Respondent's later allegations in the Response that the disputed domain name was its "personal creative nickname".

In view of the above, the Panel finds that it is more likely than not that, by registering and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's VUSION trademark as to the source or endorsement of its website. This supports a finding of registration and use of the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy.

The Panel therefore 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 <viusion.online> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: November 19, 2025