

## **ADMINISTRATIVE PANEL DECISION**

Yielder Group B.V., Allied Branding B.V. v. FlokiNET Ltd WhoisProtection  
FlokiNET Ltd WhoisProtection, FlokiNET Ltd  
Case No. D2025-4629

### **1. The Parties**

The Complainants are Yielder Group B.V., Netherlands (Kingdom of the) ("the Netherlands"), and Allied Branding B.V., the Netherlands, represented by La Gro B.V, the Netherlands.

The Respondent is FlokiNET Ltd WhoisProtection FlokiNET Ltd WhoisProtection, FlokiNET Ltd, Seychelles.

### **2. The Domain Names and Registrar**

The disputed domain names <werkenbijyielder.com>, and <yielderpapers.com> are registered with Tucows Domains Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 7, 2025. On November 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 10, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Dies Goorman) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 10, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not file an amendment to the Complaint.

The Center verified that 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 of the Complaint, and the proceedings commenced on November 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 8, 2025. The Respondent sent an email communication to the Center on November 14, 2025. However, the Respondent did not file any formal

response. On December 9, 2025, the Center informed the Parties that it would proceed with panel appointment.

The Center appointed Richard C.K. van Oerle as the sole panelist in this matter on December 16, 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 in this proceeding is Yielder Group B.V., together with Allied Branding B.V. (Yielder Group B.V. and Allied Branding B.V. are hereinafter jointly referred to as “the Complainant”). Yielder Group B.V. is the operating company and the sole shareholder in Allied Branding B.V. The Complainant operates its business in the Netherlands. It operates the website “www.yielder.com”. According to the Complainant’s website, it is a provider of information technology and cybersecurity services.

The Complainant invokes inter alia the following trademark registration, owned by Allied Branding B.V. and licensed to Yielder Group B.V.:

- Benelux trademark registration No. 1390208 for YIELDER, registered on May 14, 2019; and
- European Union trademark registration No. 018672367 YIELDER, registered on August 11, 2022.<sup>1</sup>

Both registrations have been duly renewed and are still valid and will hereinafter be jointly referred to in singular as the “Trademark”.

The disputed domain name <werkenbijyielder.com> was registered on September 15, 2025, and the disputed domain name <yielderpapers.com> was registered on September 1, 2025. Both disputed domain names were subject of *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), in which the panel ordered cancellation.

According to the Complainant, the disputed domain name <werkenbijyielder.com> seems to be redirected to the domain name <werkenbijradar.com> which during the previous UDRP proceeding contained unlawful and defamatory content against the Complainant. At the time of the Complaint, the disputed domain name <werkenbijyielder.com> redirected to a website at the domain name <werkenbijradar.com> purporting to be “My Blog – My WordPress Blog”, and displaying information related to a firm called “Études”. The website was marked as a “Sample Page” on the top of the website. At the time this decision was drafted this disputed domain name did not resolve to an active website.

According to the Complainant, the disputed domain name <yielderpapers.com> is no longer accessible due to resource limit. At the time this decision was drafted, this disputed domain name did not resolve to an active 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 disputed domain names.

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<sup>1</sup>The Panel’s notes that these two trademarks are currently registered by Yielder Platforms B.V., which appears to be the Complainant’s related entity.

The Complainant has drawn the attention of the Panel to the existence of two prior administrative panel decisions. The first one dated June 16, 2025, *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), involving the same parties (in which, in addition to the Respondent in these proceedings, Dies Goorman also acted as respondent), and both the disputed domain names (as well as the domain name <yielderreviews.com>). The second dated October 21, 2025, *Yielder Group B.V., Allied Branding B.V. v. FlokiNET Ltd WhoisProtection FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-3537](#), involving the same parties as in this proceedings, about the domain name <werkenbijyielder.com>.

In both proceedings the panels ordered that the domain names be cancelled.

After the domain names were cancelled, the Respondent immediately re-registered the disputed domain names - again, without any rights or legitimate interests in respect of the disputed domain names.

Firstly, according to the Complainant, the disputed domain names are highly confusingly similar to its Trademark. The disputed domain names incorporate the Trademark in its entirety, each in combination with a word added before or after the Trademark.

Secondly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Complainant's Trademarks were registered between 2019 and 2023 and have been used genuinely and continuously, including as a trade name. The disputed domain names were re-registered by the Respondent in September 2025, several years after the Complainant acquired trademark rights. In *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), the Respondent was found to lack rights or legitimate interests, resulting in the cancellation of both disputed domain names. The Respondent subsequently re-registered the disputed domain names shortly after those cancellations. The Complainant argues that these re-registrations do not confer any new rights or legitimate interests. The Complainant further submits that the disputed domain names have not been used in a bona fide or legitimate manner. The disputed domain name <yielderpapers.com> suggests that it hosts official publications or papers of the Complainant, but in above mentioned earlier proceedings it was found to have been used for allegedly infringing or harmful content, or to redirect users to similar content hosted elsewhere. At the time of filing the present Complaint, this disputed domain name is said to be inactive. The disputed domain name <werkenbijyielder.com> includes Dutch wording meaning "working at" the Complainant, suggesting an official recruitment website. The Complainant asserts that this disputed domain name never contained genuine job listings or recruitment information, but was used to redirect users to other problematic domain names, and currently appears to redirect to a website of questionable authenticity.

With respect to registration and use in bad faith, the Complainant alleges that the Respondent registered and used the disputed domain names to take unfair advantage of the Complainant's Trademark. The Complainant asserts a pattern of conduct in which the Respondent has repeatedly registered domain names incorporating the Complainant's Trademark in their entirety, combined with descriptive terms, often following notice-and-takedown requests, suspensions, or cancellations ordered in prior proceedings. The timing of the registrations, occurring years after the Trademark was registered and shortly after adverse actions against the Respondent, is said to support an inference of bad faith.

The Complainant also maintains that the current non-use of the disputed domain names does not preclude a finding of bad faith, given the distinctiveness of the Trademark, the alleged absence of any plausible good-faith use, the Respondent's failure to provide an explanation for its choice of the disputed domain names, and the alleged concealment of identity or use of inaccurate contact details.

## **B. Respondent**

The Respondent did not file any formal response. On December 14, 2025, the Respondent sent an email with the following content:

“Hello,  
another attempt to silence critics with abusing copyright.  
The website clearly is not copying anything but simply informing the public of abuse at the mentioned company.  
That is clearly free speech and not abuse.  
Great to know that WIPO sides of course only with cooperations and assists in censorship.”

## **6. Discussion and Findings**

### **6.1. Language of the Proceeding**

The language of the Registration Agreement for the disputed domain names is English. 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 proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be Dutch for several reasons, including the fact that the Complainant has sufficient reason to believe that the Respondent is a Dutch national who speaks the Dutch language.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion 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).

The Panel does not see a reason in this case to deviate from the language of the Registration Agreement. The Complainant is represented by professional counsel and has submitted a Complaint and has communicated with the Center in a way that shows sufficient command of the English language. Furthermore the (formal) Respondent is not based in the Netherlands and it is more likely to understand English than Dutch. In addition, the Respondent has sent an email in English to the Center.

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

### **6.2. Substantive Issues**

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

- i. the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- iii. the disputed domain names have been registered and are being used in bad faith.

Only if all three elements have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. The Panel will deal with each of the requirements in turn.

## **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 Trademark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The disputed domain names contain the addition of the terms "papers" and "werkenbij" (which translates to "working at"). Although the addition of other terms may bear on assessment of the second and third elements, the Panel finds the addition of such terms here does not prevent a finding of confusing similarity between the disputed domain names and the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel concurs with the findings of the panel in *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), concerning the lack of rights or legitimate interests of the Respondent.

At the time of the Complaint, the disputed domain name <werkenbijyielder.com> redirected to a website at the domain name <werkenbijradar.com> purporting to be "My Blog – My WordPress Blog", and displaying information related to a firm called "Études". As discussed by the panel in *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), the composition of the disputed domain name consists of the Complainant's Trademark and the terms "werkenbij" (which translates to "working at"). This composition suggests that it refers to a website that belongs to the Complainant, for example its recruitment website. Therefore, the disputed domain name creates an impermissible risk of user confusion. Even though the disputed domain name was redirected to a blog-type website, the website does not appear to be a genuine blog, as it was not related to the

Complainant and was marked as a “Sample Page”. This contradicts the Respondent’s assertions. Noting that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant, and that the blog-type website was not genuine, such use cannot confer rights and legitimate interests on the Respondent.

As regards the disputed domain name <yielderpapers.com>, it does resolve to any active website. None of the examples illustrated in paragraph 4(c) of the Policy are applicable to the disputed domain name.

As a result of its failure to submit a substantive Response, the Respondent did not use the opportunity to show new facts or circumstances. The Panel draws an adverse inference from the Respondent’s failure to provide a substantive Response where an explanation is certainly called for ([WIPO Overview 3.0](#), section 4.3).

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.

The Panel also concurs with the findings of the panel in *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), concerning the Respondent’s registration and use of the disputed domain names constituting bad faith.

The Respondent has not presented any new facts or circumstances that could justify deviating from this.

The Panel notes that the re-registration of the disputed domain names, by the same Respondent, shortly after the cancellation ordered in a previous administrative panel decision, should undoubtedly be taken into account by the Panel in this new proceeding, in particular in the assessment of the existence of bad faith on the Respondent’s part. The Respondent’s claim of exercising “free speech” is belied by its circumvention of the prior panel decision *Yielder Group B.V., Allied Branding B.V. v. Dies Goorman, FlokiNET Ltd WhoisProtection, FlokiNET Ltd*, WIPO Case No. [D2025-1608](#), ordering cancellation of the disputed domain names. Furthermore, the Panel takes note of the two prior cases involving the Parties, and finds that the Respondent has engaged in a pattern of bad faith within the meaning of paragraph 4(b)(ii) of the Policy. [WIPO Overview 3.0](#), section 3.1.2.

As discussed in Section 6B above, the Respondent’s use of the disputed domain name <werkenbijyielder.com> in connection with a blog-type website cannot be considered a good faith use.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s Trademark, and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Panel concludes that the Complainant has established that the Respondent has registered and is using the disputed domain names in bad faith and therefore 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 names <werkenbijyielder.com> and <yielderpapers.com> be transferred to the Complainant.

*/Richard C.K. van Oerle/*

**Richard C.K. van Oerle**

Sole Panelist

Date: December 26, 2025