

ADMINISTRATIVE PANEL DECISION

Ecolab USA Inc. v. Ecolab Srl, ecolab-roma.com
Case No. D2026-0120

1. The Parties

The Complainant is Ecolab USA Inc., United States of America (“United States”), represented by Greenberg Traurig, LLP, United States.

The Respondent is Ecolab Srl, ecolab-roma.com, Italy.

2. The Domain Name and Registrar

The disputed domain name <ecolab-roma.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on January 12, 2026. On January 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 13, 2026, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on January 18, 2026, 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 January 21, 2026.

On January 18, 2026, the Center informed the parties in Italian and English, that the language of the registration agreement for the disputed domain name is Italian. On January 21, 2026, the Complainant requested English to 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 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 English and Italian of the Complaint, and the proceedings commenced on January 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 13, 2026.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on February 18, 2026. 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

It results from the Complainant's undisputed allegations that it is a global sustainability leader offering water, cleaning, hygiene, and infection prevention products and services, serving millions of customers in the food, energy, healthcare, life sciences, industrial, hospitality, and retail markets, with annual sales of approximately USD 16 billion as of 2024. The Complainant is publicly traded on the New York Stock Exchange (NYSE). It provides its products and services under the ECOLAB brand in more than 170 countries, including Italy, where it has an office located in Milan and a wholly-owned subsidiary Nalco Water in Rome.

The Complainant uses the mark ECOLAB extensively in connection with a wide variety of products and services, such as pharmaceutical products, industrial cleaning solutions, household cleaning products, hand soaps and sanitizers, automatic soap and sanitizer dispensers, deodorizers, degreasers, disinfectants, disinfecting wipes, laundry detergents, fabric softeners, stain removers, commercial dishwashing machines, laundry chemical dispensing systems, water treatment and purifying chemicals, water quality monitoring and analytics software, bioprocessing resins, pest elimination services, quality control services, cleaning audit and training services, consulting services, and many others.

The Complainant is the registered owner of a portfolio of over 1,300 trademark registrations worldwide for its ECOLAB mark and marks incorporating ECOLAB, including Italy where the Respondent is purportedly located. Notably, the Complaint is based on the following trademarks:

- International trademark registration No. 1005780 ECOLAB (word), registered on April 6, 2009 for goods and services in classes 1, 3, 4, 5, 7, 8, 9, 11, 21, 35, 37, 41 and 42;
- Italian trademark registration No. 362016000104098 ECOLAB, registered on September 5, 2017.

In addition, it uses the domain name <ecolab.com> - for its official website since 1996.

The disputed domain name was registered on November 24, 2025. Furthermore, the undisputed evidence provided by the Complainant proves that the disputed domain name resolves to a parking page displaying the wording "ecolab-roma.com" and "In costruzione. Torna presto per un aggiornamento" which translates in English to "Under construction. Check back soon for an update".

It further results from the Complainant's undisputed evidence that the disputed domain name has active MX (mail exchange) records allowing to use the disputed domain name for email correspondence.

Finally, on December 11, 2025, the Complainant sent a cease-and-desist correspondence to the Respondent using the Registrar's contact form advising the Respondent of the Complainant's prior rights in the ECOLAB Mark and requesting transfer of the disputed domain name to the Complainant. The Complainant has received no response.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that

(1) the disputed domain name wholly incorporates the Complainant's trademark ECOLAB changing the mark only by adding a hyphen, the geographic term "roma" – which is the Italian term for the capital city of Rome. Furthermore, the addition of the term "roma" to the Complainant's ECOLAB mark does not distinguish the disputed domain name but instead increases the likelihood of confusion based on the fact that the Complainant not only provides its products and services in Italy, but also has offices located – amongst others – in Rome;

(2) Because the Respondent is not currently using the disputed domain name for a "under construction"-website, the Respondent is not using the domain name for a bona fide offering of goods or services. Furthermore, the Respondent used fake information when registering the disputed domain name in the name of "Ecolab srl" and pretends to be the Complainant. This cannot establish rights or legitimate interests in the disputed domain name. The Complainant has not authorized, licensed, or consented to the Respondent's registration and use of a domain name incorporating the Complainant's ECOLAB marks;

(3) Although the disputed domain name does not resolve to content, passive holding of the disputed domain name by the Respondent demonstrates the Respondent's bad faith. The ECOLAB marks are famous and widely recognized in the water, cleaning, hygiene, and infection industries throughout the world. The Respondent has utilized false contact information in the registration of the disputed domain name. The Respondent has set up the disputed domain name for use to create email addresses and send email messages by creating MX (mail exchange) records.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that each disputed domain name be transferred or cancelled:

(i) the disputed domain name is 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 name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

6.1. Preliminary Issue – Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is Italian. 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 proceeding be English for several reasons, including the assertion that the disputed domain name contains English words in Latin script, rather than Italian script. In addition, it contains the Complainant's ECOLAB mark, which consists of English letters, and which are strongly associated with the Complainant's goods and services in the United States. By contrast, the Complainant's counsel has no familiarity with reading and writing in the Italian language, and therefore, conducting proceedings in Italian would require commissioning a translator, adding unnecessary cost to the Complainant who already bears the cost of filing, and it would cause delay in commencement of proceedings.

The Respondent did not make any specific submissions with respect to the language of the proceedings.

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 of WIPO Panel Views on Select UDRP Questions \("WIPO Overview 3.1"\)](#), section 4.5.1).

The Panel acknowledges that the Center notified both Parties in Italian and English language of the discrepancy between the language of the registration agreement and the Complaint. The Complainant formally submitted a motivated request that the proceedings be conducted in English language.

The Panel notes, however, that the disputed domain name is rather composed of Italian than of English terms and acronyms ("roma" instead of "rome"; "Eco" and "lab" are common Italian acronyms). Nevertheless, paragraph 10 of the UDRP Rules vests the Panel with authority to conduct the proceedings in a manner it considers appropriate while also ensuring both that the Parties are treated with equality, and that each Party is given a fair opportunity to present its case. The Respondent did not object the Complainant's language of proceedings request and it did not actively participate at all in these proceedings.

Against this background, the Panel also notes: (i) English is a common business language; (ii) the Top-Level Domain ("TLD") ".com" has a supranational character; and (iii) taking into consideration that translating the Complaint and the annexes would cause significant expenses and delay while the Respondent is not participating in these proceedings. Being fluent in both, the Panel would have accepted a Response in English or Italian, but no Response was submitted.

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.

6.2. Substantive Issues – Three Elements

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy, [WIPO Overview 3.1](#), 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 3.1](#), section 1.7.

Although the addition of other terms here, a hyphen followed by the geographic indication “roma”, may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy, [WIPO Overview 3.1](#), 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 3.1](#), 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 disputed domain name resolves to an “under construction”-page. The Panel does neither consider this use a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name in the sense of paragraph 4(c)(i) and (iii) of the Policy. In particular, the Complainant has not authorized or licensed the Respondent to use any of its trademarks in any way. Furthermore, the Panel does not dispose of any elements that could lead the Panel to the conclusion that the Respondent is commonly known by the disputed domain name or that it has acquired trademark rights pursuant to paragraph 4(c)(ii) of the Policy.

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.

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 3.1](#), section 3.2.1.

In the present case, the Panel notes that the disputed domain name resolves to an “under construction”-without genuine, active content. It is acknowledged from among UDRP panels that the non-use of a domain name – including a “coming soon” page – does not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy, [WIPO Overview 3.1](#), section 3.3.

The Panel must therefore examine all the circumstances of the case to determine whether the Respondent is acting in bad faith. Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement).

In the case at hand, the Panel considers the following circumstances surrounding the registration of the disputed domain name as suggesting that the Respondent was aware that it has no rights or legitimate interests in the disputed domain name, and that the disputed domain name has been registered and is being used in bad faith:

(i) the distinctiveness of the Complainant's trademark which (a) has existed for many years, (b) which is the dominant element of the Complainant's company name and tradename, (c) which have existed have been used for roughly three decades;

(ii) the nature of the disputed domain name, including the Complainant's trademark in combination with a geographic term which suggests sponsorship or endorsement by the Complainant;

(iii) the Respondent's failure to respond to the Complainant's cease-and-desist correspondence through the Registrar's contact form;

(iv) the Respondent's failure to respond to the Complaint and bring forward any plausible arguments for a plausible legitimate active use that the Respondent could make of the disputed domain name;

(v) the use of inaccurate and incomplete contact details when registering the disputed domain name. As discussed above, the Panel exercised its general powers, as set out inter alia in paragraphs 10 and 12 of the UDRP Rules (cf, [WIPO Overview 3.1](#), section 4.8.), and conducted limited factual research into matters of public record, namely the Italian Companies' Register. Such research confirmed that no company named "Ecolab S.r.l." is registered at the address provided (which in any event lacks a street number) in Rome, thereby substantiating and corroborating the Complainant's contentions; and

(vi) the fact that the disputed domain name has been connected to active MX (mail exchange) records, which creates a risk that the Respondent might be engaged in an email phishing scheme.

In view of these above factors, the Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <ecolab-roma.com> be transferred to the Complainant.

/Tobias Malte Müller/

Tobias Malte Müller

Sole Panelist

Date: March 4, 2026