

ADMINISTRATIVE PANEL DECISION

Carel Industries S.p.A. v. Laura Esposito, carel-gruppo
Case No. D2026-0676

1. The Parties

Complainant is Carel Industries S.p.A., Italy, represented by Società Italiana Brevetti S.p.A., Italy.

Respondent is Laura Esposito, carel-gruppo, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <carel-gruppo.com> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 17, 2026. On February 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 17, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on February 18, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on February 20, 2026.

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 Respondent of the Complaint, and the proceedings commenced on February 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on March 18, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on March 23, 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

Complainant is a company organized under the laws of Italy that is active in the air-conditioning, refrigerating and heating industry.

Complainant has provided evidence that it is the registered owner of numerous trademarks relating to its company name and brand CAREL, including, but not limited to, the following:

- word trademark CAREL, European Union Intellectual Property Office (EUIPO), registration number: 000493767, registration date: October 14, 1999, status: active;
- word trademark CAREL, EUIPO, registration number: 018378909, registration date: August 3, 2021, status: active.

Moreover, Complainant has demonstrated to own the domain name <carel.com> which resolves to Complainant's official website at "www.carel.com" used to promote Complainant's products and related services in the air-conditioning, refrigerating and heating industry internationally.

Respondent, according to the Registrar verification, is located in the United States. The disputed domain name was registered on October 8, 2025. It resolves to a website at "www.carel-gruppo.com" which redirects Internet users to a further website at "www.zoho.com" offering web design related services. Complainant, in turn, claims that by the time of the filing of the Complaint, the disputed domain name did not resolve to any active website.

Complainant requests that the disputed domain name be transferred to Complainant.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Notably, Complainant contends to be one of the world leaders in control solutions for air conditioning, refrigeration and heating, and systems for humidification and evaporative cooling.

Complainant submits that the disputed domain name is confusingly similar to Complainant's CAREL trademark, as it is composed of such identical trademark along with the descriptive component "group". Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Complainant has never authorized nor has it somehow given its consent to Respondent to register or use the disputed domain name, and (2) the disputed domain name does not resolve to an active website. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the disputed domain name identically reproduces Complainant's CAREL trademark, (2) Complainant's business enjoys extensive geographical spread, (3) at the time of registration of the disputed domain name, Complainant's business and its CAREL trademark were well-established, (4) the term "carel" is neither a common nor a descriptive term, (5) Complainant's CAREL trademark was registered and used long before the registration of the disputed domain name, (6) the disputed domain name resolves to an inactive website, and (7) the contact details provided at the time of registration of the disputed domain name are inaccurate and incomplete.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

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

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

A. Identical or Confusingly Similar

First, 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 Complainant's CAREL trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has shown rights in respect of its CAREL trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, simply added by the term "gruppo" (which is the Italian term for the English term "group"). Accordingly, the disputed domain name is confusingly similar to Complainant's CAREL trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms (here, the term "gruppo") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and Complainant's CAREL trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel, therefore, holds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Complainant claims that, by the time of the filing of the Complaint, the disputed domain name did not resolve to any active website but was passively held by Respondent. The Panel, undertaking reasonable independent research within its limited powers set forth by paragraph 10 of the Rules, however, noticed that, by the time of the rendering of this Decision, the disputed domain name resolves to a website at “www.carel-gruppo.com” which redirects Internet users to a further website at “www.zoho.com” offering web design related services.

Regardless thereof, Respondent has neither been granted a license nor has it been otherwise authorized by Complainant to use its CAREL trademark, either as a domain name or in any other way. Also, there is no reason to believe that Respondent’s name somehow corresponds with the disputed domain name, and Respondent does not appear to have any trademark rights associated with the term “carel” which is neither common nor descriptive.

Moreover, the Panel notes that the disputed domain name consists of Complainant’s entire CAREL trademark added by the Italian term “gruppo” which directly targets Complainant as a multinational group of companies based in Italy. The composition of the disputed domain name, therefore, gives the impression of some sort of a commercial link between the disputed domain name and Complainant which clearly does not exist. UDRP panels, however, have found that where a domain name consists of a trademark plus an additional term, such composition cannot constitute fair use and may not confer rights of legitimate interests, if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner, such as in the case at hand. [WIPO Overview 3.1](#), section 2.5.1. Moreover, the Panel has further noted that Respondent has brought nothing forward as to why it needed to rely exactly on Complainant’s entire CAREL trademark to compose the disputed domain name other than to somehow unduly profit from the reputation which this trademark undisputedly enjoys in the field of air-conditioning, refrigerating and heating industry. Therefore, the case as presented to the Panel gives no basis whatsoever to find for any rights or legitimate interests of Respondent in the disputed domain name whatsoever.

The Panel, therefore, holds the second element of the Policy has been established, too.

C. Registered and Used in Bad Faith

Third, 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.

Having reviewed the available record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. Although, under the “passive holding” doctrine, panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in its application include: (i) the degree of distinctiveness or reputation of the complainant’s mark, and (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use.

In this context, the Panel notes (1) the undisputed distinctiveness or reputation of Complainant’s CAREL trademark, and (2) the composition of the disputed domain name which reproduces such trademark entirely added by the Italian term “gruppo”, which directly targets Complainant as a multinational group of companies based in Italy, and so gives the impression of some sort of a commercial link between the disputed domain name and Complainant which clearly does not exist. The Panel, thus, concludes that in the circumstances of this case even a passive holding of the disputed domain name, as claimed by Complainant, does not prevent a finding of bad faith under the Policy. [WIPO Overview 3.1](#), section 3.3. Other than that, the Panel also notes that Respondent has brought nothing forward as to why it needed to rely exactly on Complainant’s entire CAREL trademark to compose the disputed domain name if not to somehow unduly profit from the reputation which this trademark undisputedly enjoys in the field of in the field of air-conditioning, refrigerating and heating industry. The website to which the disputed domain name resolves at the time of the rendering of this Decision has no connection whatsoever with the term “carel” and gives no reason to assume that any related good faith business shall be conducted thereunder. Consequently, taking all those factors together,

the Panel concludes that there is no plausible good faith use to which the disputed domain name may be put and so finds that Respondent takes unfair advantage of or otherwise abuses Complainant's reputed CAREL trademark which constitutes bad faith within the larger meaning of the Policy. [WIPO Overview 3.1](#), section 3.1.

Finally, and in connection with this finding, it also carries weight in the eyes of the Panel that Respondent obviously provided false or incomplete contact information in the Whois register for the disputed domain name (e.g. an invalid street address) which not only is in breach of Respondent's duties under the Registrar's "Master Domain Registration Agreement" (see "Accurate Information", page 1), but also supports the Panel's finding of Respondent's acting in bad faith.

The Panel, therefore, holds that Complainant has established the third element of the Policy, too.

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, <carel-gruppo.com>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: April 1, 2026