ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Elkjøp Nordic AS v. Emma White
Case No. D2026-1019

1. The Parties

The Complainant is Elkjøp Nordic AS, Norway, represented by Zacco Sweden AB, Sweden.

The Respondent is Emma White, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <elgiganten24.store> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 10, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 12, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 12, 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 amendment to the Complaint on March 12, 2026.

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 of the Complaint, and the proceedings commenced on March 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 16, 2026.

The Center appointed Alissia Shchichka as the sole panelist in this matter on April 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

The Complainant is Elkjøp Nordic AS, a Norwegian company founded in 1962 and operating as an electronics retailer in the Nordic region, with activities in Norway, Sweden, Denmark, and Finland, as well as franchise operations in Greenland, Iceland, and the Faroe Islands. The Complainant is part of Currys Group Ltd., a multinational retail group employing over 24,000 people across six countries.

The Complainant operates approximately 420 stores and several e-commerce platforms under various brands, including ELKJØP, ELGIGANTEN, and GIGANTTI, and reports a turnover exceeding NOK 47 billion.

The Complainant has provided evidence that itself or its connected companies are registered owners of numerous trademarks, including, but not limited to the following:

- Danish Trademark Registration No. VR 2005 01853, registered on May 24, 2005, for the word trademark ELGIGANTEN, in classes 7, 8, 9, 11, 21, 35, 36, and 37;

- European Union Trademark Registration No. 005908678, registered on May 30, 2008, for the word trademark ELGIGANTEN, in classes 7, 8, 9, 11, 21, 35, 36 and 37;

- European Union Trademark Registration No. 011148913, registered on Mar 6, 2013, for the figurative trademark ELGIGANTEN, in classes 7, 8, 9, 11, 14, 16, 20, 21, 28, 35 and 37.

The disputed domain name was registered on July 20, 2025.

The disputed domain name is currently inactive. At the time of the filing of the Complaint, it resolved to a website displaying the Complainant's trademarks, as well as the Complainant's official website's color scheme and favicon. The Complainant has also submitted evidence indicating that the website included a promotional lottery inviting users to participate in a prize draw.

The Respondent, according to the disclosed WhoIs information for the disputed domain name, is located in the United States.

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 asserts that its ELGIGANTEN trademark is distinctive and well known.

According to the Complainant, the disputed domain name is confusingly similar to the Complainant's ELGIGANTEN trademark, as it incorporates the trademark in its entirety together with the number "24". The Complainant submits that the addition of this term does not prevent a finding of confusing similarity. The Complainant further asserts that the generic Top-Level Domain ("gTLD") ".store" should be disregarded for the purpose of the comparison.

The Complainant contends that the Respondent lacks rights or legitimate interests in the disputed domain name because: (1) the Respondent is not affiliated with, licensed by, or otherwise authorized to use the Complainant's ELGIGANTEN trademark in connection with the disputed domain name; (2) there is no evidence that the Respondent is commonly known by the disputed domain name; and (3) the disputed domain name has not been used in connection with a bona fide offering of goods or services. Instead, the disputed domain name previously resolved to a website imitating the Complainant, displaying its trademarks, and visual identity, and promoting a purported lottery, thereby creating a risk of confusion as to source or affiliation. The Complainant also notes that there is no genuine or verifiable information available regarding the Respondent's identity, and that the website does not include any disclaimer accurately and prominently disclosing the Respondent's lack of relationship with the Complainant.

Finally, the Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith. In particular, the Complainant submits that (1) its ELGIGANTEN trademark predates the registration of the disputed domain name; (2) the Respondent was aware of the Complainant and intentionally registered the disputed domain name for either commercial, illicit or fraudulent purposes; (3) the prior use of the disputed domain name to operate a website impersonating the Complainant and promoting a likely fraudulent lottery demonstrates an intent to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website or location or of a productor service on its website or location; and (4) the Respondent's failure to respond to a cease-and-desist letter further supports a finding of bad faith.

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

B. Respondent

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

6. Discussion and Findings

6.1. Substantive Issues

Under paragraph 4(a) of the Policy, the 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 the Complainant has rights; and

(ii) that the 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.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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 of WIPO Panel Views on Select UDRP Questions ("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, the number "24", may bear on assessment of the second and third elements, the Panel finds the addition of such element 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 that 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 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 Complainant has confirmed that the Respondent is neither affiliated with the Complainant, nor otherwise authorized or licensed to use the ELGIGANTEN trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with the ELGIGANTEN trademark, and there is no evidence showing that the Respondent has been commonly known by the disputed domain name. WIPO Overview 3.1, section 2.3.

The disputed domain name previously resolved to a website displaying the Complainant's trademark, color scheme, and favicon. The website also included a promotional lottery inviting users to participate in a prize draw. The Panel further notes that the website contained no disclaimer indicating the absence of any relationship between the Complainant and the Respondent. These elements support a finding that the Respondent sought to impersonate the Complainant.

Panels have consistently held that the use of a domain name for illegitimate activity, here, copycat sites, and passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel further finds that the Respondent's website was deliberately designed to create confusion as to its association with the Complainant and its trademarks, in order to divert traffic, exploit the Complainant's reputation for commercial gain. Such conduct can never be regarded as a bona fide offering of goods or services under the Policy. WIPO Overview 3.1, section 2.4.

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.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain name, and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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 observes that the Complainant's ELGIGANTEN trademark registrations predate the Respondent's registration of the disputed domain name. The disputed domain name incorporates the Complainant's trademark in its entirety together with the number "24", which may suggest round-the-clock (24-hour) availability and thereby reinforces the association with the Complainant's retail stores and e-commerce activities. In light of these circumstances, and considering the content of the website to which the disputed domain name previously resolved, the Panel finds that the Respondent was aware of the Complainant's business and trademark at the time of registration. WIPO Overview 3.1, section 3.2.2.

The Panel further notes that the disputed domain name previously resolved to a website displaying the Complainant's trademark, color scheme, and favicon, thereby creating the misleading impression that the website was affiliated with or originated by the Complainant. The absence of any disclaimer clarifying the lack of a relationship with the Complainant further contributed to the overall misleading impression. Panels have consistently held that the use of a domain name for illegitimate activity, here, impersonation or passing off, or other types of fraud constitutes bad faith. WIPO Overview 3.1, section 3.4.

In the Panel's view, the Respondent has intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant's trademarks regarding the source, sponsorship, affiliation, or endorsement of its website or the products offered on it. Pursuant to paragraph 4(b)(iv) of the Policy, this constitutes evidence of the registration and use of a disputed domain name in bad faith. WIPO Overview 3.1, section 3.1.4.

Based on the available record, 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 <elgiganten24.store> be transferred to the Complainant.

/Alissia Shchichka/
Alissia Shchichka
Sole Panelist
Date: April 24, 2026