

ADMINISTRATIVE PANEL DECISION

Abiant Holding B.V. v. Vladislav Mirzonyan
Case No. D2026-1335

1. The Parties

- 1.1 The Complainant is Abiant Holding B.V., Netherlands (Kingdom of the), represented by Matchmark B.V., Netherlands (Kingdom of the).
- 1.2 The Respondent is Vladislav Mirzonyan, Ukraine.

2. The Domain Name and Registrar

- 2.1 The disputed domain name <abiantpersoneelsdiensten.com> (the “Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

- 3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 27, 2026. At that time, publicly available Whois details did not identify the underlying registrant of the Domain Name.
- 3.2 On March 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 31, 2026, the Registrar transmitted by email to the Center its verification response disclosing the underlying registrant and contact information for the Domain Name. The Center sent an email to the Complainant on April 1, 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 April 2, 2026.
- 3.3 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”).
- 3.4 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 29, 2026.

- 3.5 The Center appointed Matthew S. Harris as the sole panelist in this matter on May 5, 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. Further Procedural Considerations

- 4.1 Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, but must also ensure that the administrative proceeding takes place with due expedition.
- 4.2 Since the Respondent's mailing address is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue (see for example *Netbet Entreprises Ltd v. Privacy Service provided by Withheld for Privacy ehf / Vladimir Vladimir, Crowd Inc*, WIPO Case No. [D2022-1420](#)).
- 4.3 In this respect, the Panel notes that the Center's records indicate that hard copy delivery of its notification of the Complaint failed. However, the Complaint was also sent by the Center electronically (a) to a number of different email addresses associated with the Domain Name, including a Gmail address provided by the Registrar in response to the Center's verification request, and to "postmaster" at the Domain Name, and (b) through a "Domain contact form" provided by the Registrar. Given this, and in the absence of any other indication of a failure of notification, the Panel is of the view that the proceedings can and should continue.

5. Factual Background

- 5.1 The Complainant is a company incorporated in the Netherlands (Kingdom of the) that operates one of the largest employment agency businesses in the Northern Netherlands.¹ The Complainant promotes and provides its services, inter alia, from its website which uses the domain name <abiant.nl>.
- 5.2 The Complainant is the owner of various registered trade marks that comprise or incorporate the term "abiant". They include:
- (i) Benelux trade mark registration No. 893438, for ABIANT as a word mark, filed on January 5, 2011, and registered on April 11, 2011, in classes 35, 41 and 44; and
 - (ii) International trade mark registration No. 1070120, for ABIANT as a word mark, registered on January 10, 2011, for services in classes 35, 41 and 44, and which has proceeded to registration in Germany.
- 5.3 According to the Complaint, until on or about March 20, 2026, the Domain Name resolved to a website which reproduced the Complainant's ABIANT mark (and a figurative mark) and purported to offer services identical or at least similar to those of the Complainant.
- 5.4 The Domain Name was registered on November 27, 2025.

¹Although the Complainant contends in the Complaint that it operates the Abiant branded business, it seems more likely given the name of the Complainant and the content of the website operating from the <abiant.nl> domain name, that the Complainant is one of a number of companies in the Abiant group of companies, and that the Complainant is the company that holds at least the trade marks used by the different companies in the Abiant group. However, the Panel is satisfied that even if this so, this has no practical impact on the outcome of this case where the Complainant is clearly bringing these proceedings for the benefit of the business of the group as a whole.

- 5.5 By the time of the Complaint, the Domain Name either did not resolve to a website, or triggered browser security warnings, consistent with malware or other abusive activity occurring on the website operating from the Domain Name.
- 5.6 As at the date of this Decision, the Domain Name resolves to what appears to be a pay-per-click landing page.

6. Parties' Contentions

A. Complainant

- 6.1 The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name. In summary, it contends that the Domain Name is confusingly similar to its ABIANT trade mark, that the Respondent has no rights or legitimate interests in the Domain Name, and that the Domain Name was registered and is being used in bad faith.
- 6.2 So far as confusing similarity is concerned, the Complainant contends that the Domain Name comprises its trade mark combined with the term "personeelsdiensten", the English translation of which is "personnel services".
- 6.3 So far as rights or legitimate interests and bad faith are concerned, the Complainant contends that the Domain Name was used, at least until March 2026, for a website purporting to recruit people in Ukraine to work in the Netherlands (Kingdom of the), although it states that it did not take a screenshot of that website and contends that the Internet Archive did not capture it. The Complainant further relies upon the browser security warnings displayed in respect of the website.

B. Respondent

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

7. Discussion and Findings

A. Identical or Confusingly Similar

- 7.1 It is generally 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.
- 7.2 The Complainant has shown rights in registered trade marks for ABIANT. [WIPO Overview 3.1](#), section 1.2.1.
- 7.3 The most sensible reading of the Domain Name is as the term "abiant" combined with the Dutch word "personeelsdiensten" and the ".com" generic Top-Level Domain ("gTLD"). Accordingly, the entirety of the Complainant's mark is reproduced within the Domain Name and as a consequence that mark is clearly recognisable in the Domain Name.
- 7.4 It follows that the Domain Name is confusingly similar to the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Further, the addition of the word "personeelsdiensten" does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), section 1.8.
- 7.5 The Panel, therefore, finds the first element of the Policy has been established.

B. Rights or Legitimate Interests, and Bad Faith Registration and Use

- 7.6 It is usual for panels under the Policy to consider the issues of rights or legitimate interests, and registration and use in bad faith, in turn. However, in this case it is more convenient to consider those issues together (see [WIPO Overview 3.1](#), section 2.15).
- 7.7 The reason for this is that the Panel is satisfied that the Domain Name has been registered and held to falsely impersonate the Complainant. First, the Domain Name itself inherently impersonates the Complainant (or someone authorised by the Complainant) in that it takes the form of the Complainant's ABIANT trade mark combined with a Dutch term that is merely descriptive of the Complainant's services, in circumstances where the Complainant provides those services in the Netherlands (Kingdom of the). Second, the Panel is satisfied that this impersonation is intended by the Respondent in that there is no obvious reading of the Domain Name that does not refer to the Complainant's mark and services. The Panel considers this to be a situation where the domain name takes a form akin to a trade mark combined with a term of a sort described in section 2.5 of the [WIPO Overview 3.1](#).
- 7.8 Further, although a copy of the website that operated from the Domain Name has not been provided, the Panel is prepared, in the absence of argument or evidence to the contrary, to accept the Complainant's contention that the Domain Name (and its association with the Complainant's mark) has been used to mislead people in Ukraine into believing that the Complainant is offering jobs in the Netherlands (Kingdom of the) to persons in Ukraine. The Panel agrees with the Complainant that it is unfortunate that no screenshot of the website was taken, but the Panel is prepared to take at face value the Complainant's contentions where the Complainant has directly addressed this lack of evidence, a named lawyer for the Complainant has signed a certificate of accuracy in respect of this allegation, and where, notwithstanding the seriousness of this allegation, it is not disputed. There is no right or legitimate interest in a domain name used for such a purpose, and it is activity that falls within the scope of circumstances evidencing bad faith registration and use under paragraph 4(b)(iv) of the Policy.
- 7.9 Finally, and in any event, the Panel accepts the Complainant's contention, which is supported by evidence, that browser security warnings displayed in respect of the website suggest that the Domain Name is being used for illicit activity. This would in any event indicate a lack of rights or legitimate interests and registration and use in bad faith.
- 7.10 Accordingly, the Panel finds that the Complainant has established the second and third elements of the Policy.

8. Decision

- 8.1 For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <abiantpersoneelsdiensten.com> be transferred to the Complainant.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: May 19, 2026