

## **ADMINISTRATIVE PANEL DECISION**

UNIQA Insurance Group AG v. Angelina Scholten  
Case No. D2026-1737

### **1. The Parties**

Complainant is UNIQA Insurance Group AG, Austria, represented by Schönherr Rechtsanwälte GmbH, Austria.

Respondent is Angelina Scholten, Netherlands (Kingdom of the).

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

The disputed domain name <uniquecapitalmarkets.com> is registered with Ultrahost, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 23, 2026. On April 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 (The RDAP server redacted the value/undisclosed) and contact information in the Complaint. The Center sent an email communication to Complainant on April 28, 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 April 30, 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 May 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 25, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 30, 2026.

The Center appointed Jeffrey M. Samuels as the sole panelist in this matter on June 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. Factual Background**

Complainant, UNIQA Insurance Group AG, is one of the leading insurance companies for private and corporate customers in its core markets of Austria and Central and Eastern Europe. Its market awareness in Austria was almost 70% in 2022. The corporate history of the company dates to 1811, and it has operated under the brand UNIQA since 1998.

Complainant is also the shareholder of UNIQA Capital Markets GmbH, which serves as the internal financial service provider of the UNIQA Group. Complainant's group of companies continues to expand its UNIQA asset management business and, since 2025, has also been providing financial services to third-party institutional investors.

Complainant owns Austrian Trademark Registration No. 179703, with a registration date of December 22, 1998, as well as European Union Trademark Registration No. 1132174, with a registration date of August 16, 2000. Both registrations cover the mark UNIQA, as used for insurance, financial, and monetary affairs.

Complainant operates its principal group website under the domain name <uniqagroup.com>.

The disputed domain name resolves to webpages that present themselves as operated by "Unique Capital Markets S.A.", with its location at Complainant's business address in Austria, and purport to offer trading services. At the subdomains of the disputed domain name, users are prompted to log in with their personal trading and financial data. The subdomain <client.uniquecapitalmarkets.com> directs to a page inviting users to sign in or register with "Unique Capital Markets". In the "contact" section of the website at the disputed domain name, an email address using the disputed domain name, is provided. The disputed domain name was registered on January 22, 2026.

#### **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 asserts that the disputed domain name is confusingly similar to its UNIQA trademark. It notes that "[w]hile the disputed domain name does not incorporate the Complainant's trademark UNIQA in its exact form, it contains the element 'unique', which constitutes a close phonetic and visual variation of 'UNIQA'. The letters 'UNIQA' and 'UNIQUE' share the same initial four letters ('U-N-I-Q'), differ only in the final character(s) and are aurally highly similar".

Complainant further alleges that Respondent has no rights or legitimate interests in the disputed domain name. According to Complainant, Respondent is unknown to Complainant and Complainant is not aware of any rights Respondent may have in the UNIQUE mark. To the best of Complainant's knowledge, there are no cooperation agreements relating to the disputed domain name in place.

Complainant maintains that the disputed domain name is "being used with a clear intent to deceive consumers for commercial gain by fraudulently impersonating the Complainant, a purpose that is wholly incompatible with any claim to legitimate rights or interests".

With respect to the issue of “bad faith” registration and use, Complainant notes that the disputed domain name was registered many years after Complainant’s use of its UNIQA trademark and that a simple internet search for “UNIQA” yields results exclusively related to Complainant, “confirming the mark’s distinctiveness and the Respondent’s inevitable awareness thereof”. It can thus be inferred, Complainant adds, “that the Respondent, having in mind famous UNIQA Trademarks, sought to take advantage of the reputation of the Complainant and UNIQA Trademarks by registering the disputed domain name”.

Complainant points out that it recently prevailed in a UDRP proceeding involving the instant Respondent concerning the domain name <uniqacapitalmarkets.com>. See *UNIQA Insurance Group AG v. Angelina Scholten*, WIPO Case No. [D2026-0273](#). The website under the domain name <uniqacapitalmarkets.com> was constructed in a manner identical to the website involved in the instant dispute. Complainant indicates that the disputed domain name was registered the very day following suspension of the domain name <uniqacapitalmarkets.com>. Such fact, Complainant asserts, “strongly suggests a coordinated and deliberate pattern of abusive domain name registrations targeting the Complainant”.

According to Complainant, the totality of evidence, “demonstrates that the Respondent has deliberately sought to impersonate the Complainant itself – presenting the disputed domain name as though it were operated by an entity directly affiliated with or forming part of the Complainant’s group. Most strikingly, the respondent has appropriated the Complainant’s own registered business address ... and listed it as its own office location”.

Complainant asserts that the pattern of serial abusive registration involving Respondent constitutes compelling evidence of bad faith both at the time of registration and in use, under paragraph 4(b)(ii) of the Policy. Complainant further maintains that Respondent has engaged in a “classic phishing scheme” and that the facts warrant a finding of bad faith under paragraph 4(b)(iv) of the Policy.

## **B. Respondent**

Respondent did not reply to Complainant’s contentions.

## **6. Discussion and Findings**

### **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 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.

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 Panel finds that the disputed domain name is confusingly similar to the UNIQA trademark. While the disputed domain name does not incorporate in full the UNIQA mark, the aural and phonetic similarities between the terms “unique” and “uniqa” support a finding of confusing similarity. As noted in [WIPO Overview 3.1](#), section 1.7, an assessment of confusingly similarity “may also entail a more holistic aural or phonetic comparison of the complainant’s trademark and the disputed domain name to ascertain confusing similarity”.

Although the addition of other terms, here, “capital” and “markets”, may bear on assessment of the second and third elements, the Panel finds the addition of such descriptive terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.

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 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 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.

Panels have held that the use of a domain name for illegal activity, such as passing off (Respondent’s use of Complainant’s business address on the website at the disputed domain name) and the potential phishing here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

## **C. Registered and Used in Bad Faith**

Panels have held that the use of a domain name for illegitimate or illegal activity constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. As noted above, the disputed domain name resolves to webpages that refer the public to Complainant’s business address and purport to offer services that compete with those offered by Complainant. The website at the disputed domain name contains a trading registration and login form inviting visitors to provide Respondent with sensitive data.

The Panel holds that Respondent is likely engaging in phishing activities. By using the disputed domain name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online locations, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of such website or of a product or service on such website, within the meaning of paragraph 4(b)(iv) of the Policy.

Several other factors further support the requisite “bad faith” determination. These include Respondent’s likely knowledge of Complainant’s trademark rights, the distinctiveness of Complainant’s mark, the fact that Respondent was recently the party of another UDRP decision ordering the transfer to Complainant of the domain name <uniqacapitalmarkets.com>, and the further fact that the disputed domain name was claimed to be registered on the same day of suspension of the domain name <uniqacapitalmarkets.com>.

The Panel finds that 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 <uniquecapitalmarkets.com> be transferred to Complainant.

*/Jeffrey M. Samuels/*

**Jeffrey M. Samuels**

Sole Panelist

Date: June 19, 2026