

ADMINISTRATIVE PANEL DECISION

HNI Technologies, Inc. v. Yurii Pysko
Case No. D2026-1826

1. The Parties

The Complainant is HNI Technologies, Inc., United States of America ("United States"), represented by Faegre Drinker Biddle & Reath LLP, United States.

The Respondent is Yurii Pysko, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <harmanpelletstove.com> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 29, 2026. On April 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 30, 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 Purposes, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 30, 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 April 30, 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 May 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 25, 2026. The Respondent sent an email communication to the Center on May 1, 2026.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on June 4, 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 in this administrative proceeding is HNI Technologies, Inc., a corporation organized and existing under the laws of the State of Iowa, United States. The Complainant and its predecessors in interest have been in the furniture industry for over 75 years.

The Complainant offers a variety of stoves and related products under the HARMAN brand.

The Complainant owns trademark registrations in the United States, Canada, the European Union and the United Kingdom for HARMAN in connection with “solid fuel burning stoves; fireplaces; fireplace inserts in the nature of solid fuel burners; furnaces; heating boilers; boilers for heating installations” in International Class 11.

The Complainant is, inter alia, the owner of:

European Union Trade Mark HARMAN (word), registration number 011074135, registered on December 20, 2012;

United States Trademark HARMAN (word), registration number 4,213,297, registered on September 25, 2012; and

United Kingdom Trademark HARMAN (word), registration number UK00911074135, registered on December 20, 2012.

The Complainant also has an Internet presence for its HARMAN products (available at the domain name <harmanstoves.com>, which redirects to “www.forgenflame.com/pages/harman”). This domain name has been used since its registration in 1997. The domain name is used to advertise and provide information relating to the Complainant’s HARMAN brand stove and fireplace insert products.

The disputed domain name was registered on February 24, 2026.

At the time of this Decision the disputed domain name is not reachable. However, based on the Complainant’s evidence it appears that previously (at least on March 19, 2026), it resolved to a website where the message “We’re Harman Large and Medium Pellet Stove Manufacturer”, as well as the Complainant’s own branding and marketing imagery, were displayed.

4. Further Procedural Considerations

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, and also that the administrative proceeding takes place with due expedition. 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. Having considered all the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the Center sent the Notification of Complaint by email to the Respondent at its email address as registered with the Registrar and to a postmaster email address as specified by the Rules, and the Respondent replied with an informal email communication. The Panel is therefore satisfied that the Respondent has received notification of the Complaint at least by email.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition the Panel will proceed to a Decision accordingly.

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 the disputed domain name is confusingly similar to the Complainant's trademark, that the Respondent has no rights or legitimate interests in the disputed domain name, and particularly that the Respondent was aware of the Complainant's trademark when registering the disputed domain name, and that the Respondent registered and used the disputed domain name to imitate or pass off as the Complainant and mislead users into believing the website is endorsed by or affiliated with the Complainant. The Complainant further affirms that the Respondent – when registering the disputed domain name – provided false or misleading contact information, and that this is further evidence that the disputed domain name was registered and is used in bad faith.

B. Respondent

The Respondent did not substantively reply to the Complainant's contentions. In fact, the Respondent only sent an informal email communication to the Center on May 1, 2026, stating: "Hi. Site is closed, we can transfer domain if you want".

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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.

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 and recognizable 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, "pellet" and "stove", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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.

Panels have held that the use of a domain name for illegal activity here, claimed as passing off, 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

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 Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s trademark.

The disputed domain name reproduces, without any authorization or approval, the Complainant’s registered HARMAN trademark. The disputed domain name was registered many years after the Complainant’s HARMAN trademark was registered and the Complainant had built its reputation in the field of stoves and fireplaces.

Therefore, owing also to the composition of the disputed domain name and its use, it is more likely than not that the Respondent, when registering the disputed domain name, had knowledge of the Complainant’s earlier rights in the HARMAN trademark, and chose the disputed domain name intentionally in order to mislead Internet users and attract them to its own website for commercial gain, by creating a likelihood of confusion with the Complainant’s trademark, and this amounts to bad faith registration and use of the disputed domain name.

The Respondent’s lack of any rights or legitimate interests in the disputed domain name, and the use of the disputed domain name incorporating the Complainant’s trademark to misleadingly direct Internet users to a website impersonating or at least trying to create a non-existent association with the Complainant is, in the view of the Panel, sufficient evidence of bad faith registration and use under paragraph 4(b)(iv) of the Policy.

Past panels have held that the use of a domain name for illegal activity here, claimed *passing off*, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

The Panel finally notes that the Respondent, in its short response, did not assert, let alone prove, any legitimate rights in the disputed domain name, nor did it deny any of the Complainant's claims.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <harmanpelletstove.com> be transferred to the Complainant.

/Fabrizio Bedarida/

Fabrizio Bedarida

Sole Panelist

Date: June 16, 2026