

ADMINISTRATIVE PANEL DECISION

Marlink SA v. Marshet Demerew, Marlink Systems PLC
Case No. D2026-1924

1. The Parties

The Complainant is Marlink SA, Belgium, represented by MIIP MADE IN IP, France.

The Respondent is Marshet Demerew, Marlink Systems PLC, Ethiopia.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 5, 2026. On May 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 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 May 6, 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 May 11, 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 the Respondent of the Complaint, and the proceedings commenced on May 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Parties of the Respondent’s default on June 5, 2026.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on June 15, 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 a company established in Belgium that provides smart network solutions to customers internationally. It describes its services as “combining satellite communications, terrestrial telecoms and digital solutions to connect remote operations”. It is the proprietor of several trademark registrations, including the following:

- European Union Trade Mark No. 015333487 for MARLINK (word mark), registered on October 4, 2016, for services in class 38;
- International Trademark Registration No. 1309586 for MARLINK (word mark), registered on July 13, 2016, for services in class 38.

The Complainant operates its primary business website at the domain name <marlink.com>.

The disputed domain name was registered on April 4, 2026. At the time of this Decision, it did not resolve to an active website. The record indicates that it previously resolved to a parking page displaying pay-per-click (“PPC”) links related to network services. The record also indicates that e-mail exchange (“MX”) servers have been configured for the disputed domain name.

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 contains its MARLINK mark in its entirety, together with the term “sys,” which is a common abbreviation for “systems” that does not distinguish the mark. The Complainant has not authorized the Respondent to use its mark, and the Respondent does not have any rights in the mark. The disputed domain name redirects to a website featuring PPC links that are related to the Complainant’s industry. The Respondent appears to be a company that does not exist and the provided postal address is invalid. The Complainant’s MARLINK mark is well-known in Europe and abroad, and the Complainant has over 27,000 followers on LinkedIn. The configuration of MX servers indicates that the Respondent has or intends to use the disputed domain name for fraudulent purposes. The Complainant has been the target of such schemes in the past. It is in the public interest to transfer the disputed domain name to avoid fraud.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

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

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

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, “sys”) may bear on assessment of the second and third elements, the Panel finds the addition of such a term 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 Panel notes that the composition of the disputed domain name and finds that the disputed domain name comprises the Complainant's MARLINK mark followed by the term "sys", which does not distinguish the mark. Therefore, the Panel finds that the nature of the disputed domain name carries a risk of implied affiliation to the Complainant that cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1. Moreover, while the disputed domain name was registered with an organization of "Marlink Systems PLC", the Panel notes that there is no evidence in the record that the Respondent is commonly known by the disputed domain name. Rather, it appears likely that the Respondent has manufactured a misleading name to falsely suggest an association or affiliation with the Complainant.

The Panel further notes that the disputed domain name resolved to a website featuring PPC links directly related to the Complainant. Under these circumstances, the Panel finds that such use does not establish rights or legitimate interests. [WIPO Overview 3.1](#), section 2.9.

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 notes that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark. The disputed domain name was registered approximately ten years after the Complainant registered its MARLINK trademark. The disputed domain name comprises the Complainant's mark, followed by the term "sys", possibly referring to the "systems" that the Complainant offers. Such composition implies a connection to the Complainant. Further, the disputed domain name was registered under the organization name "Marlink Systems PLC", which appears manufactured to create a false impression of association or affiliation with the Complainant. Under these circumstances, the Panel finds that the disputed domain name was registered in bad faith. [WIPO Overview 3.1](#), section 3.1.

The Panel finds that the use of the disputed domain name to resolve to a website featuring PPC links related to the Complainant's business is an indication of bad faith use of the disputed domain name. [WIPO Overview 3.1](#), section 3.5. The Panel further notes that the configuration of MX records creates a risk that the disputed domain name could be used for fraudulent purposes.

The Respondent has provided no evidence of actual or contemplated good-faith use of the disputed domain name, nor does the Panel find any such use plausible.

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 <marlinksys.com> be transferred to the Complainant.

/Ingrīda Kariņa-Bērziņa /

Ingrīda Kariņa-Bērziņa

Sole Panelist

Date: June 29, 2026