ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Acciai Vender S.p.A. v. Ivan Eliseev
Case No. D2026-2226

1. The Parties

The Complainant is Acciai Vender S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is Ivan Eliseev, Kazakhstan.

2. The Domain Name and Registrar

The disputed domain name <italinoxromaniasrl.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 May 22, 2026. On May 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 27, 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 the same date, 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 May 29, 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 June 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 25, 2026.

The Center appointed Anita Gerewal as the sole panelist in this matter on June 29, 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

Founded in 1976, the Complainant is an Italian company operating in the transformation and distribution of stainless steel. It has established strong business relationships with some of the world's leading stainless steel mills and maintains an extensive distribution network, enabling it to serve customers efficiently throughout Italy and in several other European countries. The Complainant is the owner of, among others, the trademarks ITALINOX, ACCIAI VENDER, and GRUPPO VENDER.

In addition to its conventional commercial and marketing activities, the Complainant has established a significant online presence through its corporate websites and digital communication platforms. These channels are used to showcase its business operations, products, and services, while also providing information and support to customers and business partners across the globe.

The Complainant owns the European Union Trade Mark registration No. 018368402 for ITALINOX (semifigurative mark), registered on May 21, 2021, in International Classes 6 and 40.

The Complainant is also the registrant of, among others, the domain names <acciaivender.it>, registered on August 13, 2001, and <gruppovender.it>, registered on July 23, 2014. The Complainant's subsidiary, Italinox Romania, operates the website at the domain name <italinox.ro>, which was registered on October 30, 2007.

The disputed domain name was registered on December 10, 2025 and, prior to the filing of the Complaint, resolved to a landing page displaying the message: "Domain has been assigned Please go to the site settings and put the domain name in the Domain tab". The disputed domain name currently resolves to the same landing page displaying the said message.

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 its registered ITALINOX trademark because it incorporates the ITALINOX mark in its entirety, making the trademark clearly recognizable within the disputed domain name. The Complainant argues that the figurative elements of its trademark are irrelevant for the purpose of the first element analysis, while the addition of the terms "Romania" and "Srl" does not dispel confusing similarity. Instead, these terms are said to increase the likelihood of confusion by suggesting that the disputed domain name relates to the Complainant's Romanian subsidiary, Italinox Romania Srl, or an affiliated entity. The Complainant further submits that the ".com" generic Top-Level Domain should be disregarded in the comparison. Accordingly, the Complainant asserts that the disputed domain name is confusingly similar to its ITALINOX trademark, satisfying paragraph 4(a)(i) of the UDRP.

The Complainant also contends that that the Respondent has no rights or legitimate interests in the disputed domain name, having established a prima facie case that shifts the burden of production to the Respondent. The Complainant submits that the Respondent is neither licensed nor authorised to use the ITALINOX trademark, is not commonly known by the disputed domain name, and has made no bona fide, legitimate noncommercial, or fair use of it, as the domain name does not resolve to an active website. It further argues that the composition of the disputed domain name, combining the ITALINOX mark with "Romania" and "Srl",

falsely suggests an affiliation with or impersonates the Complainant's Romanian subsidiary, thereby precluding any claim to fair use. The Complainant also relies on the Respondent's failure to respond to its cease-and-desist letter as further support for the absence of any rights or legitimate interests under paragraph 4(a)(ii) of the UDRP.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith because the Respondent knew or ought to have known of the Complainant's longstanding ITALINOX trademark and its Romanian subsidiary, Italinox Romania Srl, whose company name is effectively reproduced in the disputed domain name. The Complainant argues that the addition of "Romania" and "Srl" demonstrates a deliberate intent to target and impersonate its Romanian business. Although the disputed domain name is passively held and does not resolve to an active website, the Complainant submits that passive holding constitutes bad faith in the circumstances, particularly given the distinctiveness of the ITALINOX mark, the Respondent's lack of rights or legitimate interests, its failure to respond to correspondence, and the absence of any plausible good-faith use. The Complainant further relies on the configuration of MX records, arguing that the disputed domain name could be used for deceptive email communications falsely suggesting an affiliation with the Complainant. In addition, the Complainant submits that the Respondent has engaged in a pattern of registering trademark-abusive domain names to prevent trademark owners from reflecting their marks in corresponding domain names within the meaning of paragraph 4(b)(ii) of the Policy, noting four previous UDRP decisions against the Respondent, including two cases involving another steel company, which allegedly demonstrate the Respondent's familiarity with the steel industry and its deliberate targeting of the Complainant's ITALINOX mark for commercial gain.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

(i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interest 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 the ITALINOX trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is 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, "romania" and "srl", 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.

The Panel notes that the Complainant has not licensed or otherwise authorised the Respondent to use the ITALINOX trademark, and there is no evidence that the Respondent has been commonly known by the disputed domain name. Nor is there any evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, or for a legitimate noncommercial or fair use, as the disputed domain name does not resolve to an active website.

Moreover, the disputed domain name wholly incorporates the Complainant's ITALINOX trademark together with the terms "romania" and "srl". As noted in section 2.5.1 of the WIPO Overview 3.1, where a domain name consists of a trademark plus an additional term, the nature of the additional term may bear on whether the domain name carries a risk of implied affiliation. In particular, geographic terms are regarded as tending to suggest sponsorship or endorsement by the trademark owner. In the present case, the addition of the geographic term "Romania", combined with the corporate identifier "Srl", reinforces the false impression that the disputed domain name is associated with, or operated by, the Complainant or the Complainant's Romanian subsidiary. Such composition carries a clear risk of implied affiliation with the Complainant and is therefore inconsistent with any claim of fair use.

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 finds that the Respondent knew, or at the very least ought to have known, of the Complainant's longstanding ITALINOX trademark and its Romanian subsidiary, Italinox Romania Srl, whose company name is effectively reproduced in the disputed domain name. In these circumstances, the

Panel considers it inconceivable that the Respondent selected the disputed domain name independently or without the Complainant and its rights in mind.

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.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's ITALINOX trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel also notes the Respondent's pattern of similar conduct in other UDRP proceedings. The Respondent has previously been found to have registered domain names incorporating well-known trademarks, including in cases involving companies operating in the steel industry. This established pattern of conduct constitutes further evidence of bad faith registration and use and falls within the circumstances contemplated by paragraph 4(b)(ii) of the Policy.

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 <italinoxromaniasrl.com> be transferred to the Complainant.

/Anita Gerewal/
Anita Gerewal
Sole Panelist
Date: July 13, 2026