ADMINISTRATIVE PANEL DECISION

Iveco S.p.A. v. IBRAHIM TK
Case No. D2026-3175

1. The Parties

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

The Respondent is IBRAHIM TK, India, self-represented.

2. The Domain Name and Registrar

The disputed domain name <tataiveco.com> (the "Disputed Domain Name") is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 20, 2026. On July 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 20, 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 (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 21, 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 July 24, 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 July 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2026. The Respondent sent email communications to the Center on July 21, 2026, and July 30, 2026. On August 20, 2026, the Center informed the Parties of the Commencement of Panel Appointment Process.

The Center appointed Gabriela Kennedy as the sole panelist in this matter on August 24, 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 an Italian vehicle manufacturing company, created on January 1, 1975, through the merge of five companies operating in Italy, France and Germany. The name of the Complainant, IVECO, is an acronym for Industrial Vehicle Corporation.

In July 2025, the Complainant announced the sale of its commercial vehicle business to the Indian Company Tata Motors Limited and the transaction is expected to close by the end of 2026.

The Complainant owns various word and figurative trademarks for IVECO in multiple jurisdictions. The relevant trademark registrations include, inter alia, the International Trademark Registration No. 426061 for IVECO in Classes 7, 9 and 12 registered on October 21, 1976 designated in various jurisdictions including, inter alia, Afghanistan, Lao People's Democratic Republic, and Uzbekistan; the International Trademark Registration No. 495769 for **IVECO** in Classes 6, 8, 14, 15, 16, 18, 21, 24, 25, 28, and 37 registered on August 2, 1985 designated in various jurisdictions including, inter alia, Austria, Switzerland, Germany; and the European Union Trademark Registration No. 001006725 for **IVECO** in Classes 7, 9 and 12 registered on March 27, 2000 (collectively the "Complainant's Trademark").

The Disputed Domain Name was registered on July 30, 2025, many years after the Complainant first registered the Complainant's Trademark. According to the Complainant, supported by the evidence on file the Disputed Domain Name used to resolve to a "Coming Soon" page with the message "Fore sale: email: [.]@gmail.com". At the time of the filing of the Complaint, the Disputed Domain Name resolved to an inactive website. At the time of the rendering of this Decision, the Disputed Domain Name resolved to a parking page of the Registrar displaying content relating to domain and website management (collectively, the "Respondent's Website"). Between January and February 2026, the Complainant (through an agent) engaged in purchase negotiations for the Disputed Domain Name with the Respondent, which, however, were unsuccessful.

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:

(a) the Disputed Domain Name is confusingly similar to the Complainant's Trademark. The Disputed Domain Name entirely reproduces the Complainant's Trademark in combination with the trademark TATA, owned by Tata Motors Limited. The addition of a third-party trademark as well as the Complainant's Trademark in the Disputed Domain Name is not sufficient to prevent confusing similarity. The generic Top-Level-Domain ("gTLD") ".com" is viewed as a standard registration requirement and as such is disregarded under the first element.

(b) the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Respondent is not a licensee, an authorized agent of the Complainant or in any other way authorized to use the Complainant's Trademark. The Respondent is not commonly known by a name corresponding to the Disputed Domain Name as an individual, business, or other organization. The Respondent has not provided the Complainant with any evidence of its use of, or demonstrable preparations to use, the Disputed Domain Name in connection with a bona fide offering of goods or services before any notice of the dispute. Moreover, there is no evidence that the Respondent might have used the Disputed Domain Name in connection with a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's Trademark. The fact that the Respondent offered a web agency (instructed by the Complainant) to buy the Disputed Domain Name for EUR 2,500 and EUR 1,500 shows that the Respondent has no legitimate interest in it. The Respondent clearly registered the Disputed Domain Name to derive profits from its sale, for amounts exceeding the out-of-pocket costs, and that cannot confer rights or legitimate interests in the Disputed Domain Name. The Respondent also failed to reply to a cease-and-desist letter and subsequent reminders sent by the Complainant's representative. Furthermore, the redirection of the Disputed Domain Name to an inactive website is indicative of passive holding.

(c) the Respondent has registered the Disputed Domain Name and is using it in bad faith. Given the Complainant's use of the Complainant's Trademark since as early as 1975, the Respondent had full knowledge of the Complainant and the Complainant's Trademark and registered the Disputed Domain Name for the purpose of taking commercial advantage of the Complainant's Trademark. The Respondent acquired the Disputed Domain Name for the sole purpose of selling it for valuable consideration in excess of the out-of-pocket costs in relation to the Disputed Domain Name. The Respondent registered the Disputed Domain Name to attract for commercial gain Internet users to its website by creating a likelihood of confusion with the Complainant's Trademark.

B. Respondent

The Respondent did not file a formal Response to the Complaint. The Respondent sent a email communications to the Center on July 21, 2026 and July 30, 2026 stating that he is willing to transfer the Disputed Domain Name to the Complainant.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

(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 Disputed Domain Name has been registered and is being used by the Respondent 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 Complainant's Trademark is reproduced within the Disputed Domain Name. Furthermore, the gTLD in this case, ".com", may be disregarded for the purposes of assessing confusing similarity under the first element. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's Trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel notes that the Disputed Domain Name also incorporated the mark TATA owned by a third party , and finds the addition of such third-party mark does not prevent a finding of confusing similarity between the Disputed Domain Name and the Complainant's Trademark for the purposes of the Policy as the Complainant's Trademark remains recognizable within the Disputed Domain Name. WIPO Overview 3.1, section 1.12 provides that a complaint may include evidence of the third-party mark holder's consent to file the case, and request that any transfer order be issued in favor of the filing complainant only. Absent such consent, some panels have ordered transfer of the domain name without prejudice to the concerned third-party's rights. The Panel notes that the available record does not indicate any such consent from the third-party.

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.

The Panel notes that there is no evidence to show that the Respondent has trademark rights corresponding to the Disputed Domain Name, or that the Respondent has become commonly known by the Disputed Domain Name. The Panel further notes that the Complainant has provided no license or authorization of any kind to the Respondent to use the Complainant's Trademark or to apply for or use any domain name incorporating the Complainant's Trademark. The Panel also notes that the addition of the third-party mark TATA in the Disputed Domain Name coincides with the fact that the Complainant's business is currently in the process of being acquired by a third-party, Tata Motors Limited.

There is no evidence to suggest that the Respondent's use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name was in connection with a bona fide offering of goods or services. The available record indicates that the Disputed Domain Name has only resolved to either a "coming soon" page, and inactive page, and more recently, resolved to a parked page by the Registrar. The Panel agrees with the Complainant that the Respondent's use of the Disputed Domain Name cannot be regarded as legitimate noncommercial or fair use as the Respondent appears to have registered the Disputed Domain Name solely for the purpose of selling the Disputed Domain Name for a sum likely in excess of the out-of-pocket costs directly related to the Disputed Domain Name.

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 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 it is difficult to conceive of any plausible use of the Disputed Domain Name by the unaffiliated Respondent that would amount to good faith use, given that the Disputed Domain Name incorporates the Complainant's Trademark in its entirety combined with a third party trademark, and the Respondent's Website once resolved to a "coming soon" page with a "for sale" sign and after that has not resolved to any substantive website of the Respondent. The Panel finds that the Respondent's offering of the Disputed Domain Name with such composition constitutes evidence of bad faith.

The Panel notes that the Disputed Domain Name was registered many years after the Complainant's earliest trademark registration. Given the distinctiveness and reputation of the Complainant's Trademark as well as the fact that the Disputed Domain Name is a combination of the mark of the company acquiring the Complainant's business and the Complainant's Trademark, the Respondent must have been fully aware of the Complainant and the Complainant's Trademark when registering the Disputed Domain Name.

Moreover, at the time of the filing of the Complaint, the Disputed Domain Name did not resolve to any active website. . Panels have found that the non-use of a domain name 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 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 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 <tataiveco.com> be transferred to the Complainant. The transfer of the Disputed Domain Name shall be ordered without prejudice to any rights of the third-party in the Disputed Domain Name.

/Gabriela Kennedy/
Gabriela Kennedy
Sole Panelist
Date: September 7, 2026