

ADMINISTRATIVE PANEL DECISION

Iveco S.p.A. v. Kadhum Mahdi, Car Maintenance Shop
Case No. D2026-3287

1. The Parties

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

The Respondent is Kadhum Mahdi, Car Maintenance Shop, Iraq.

2. The Domain Name and Registrar

The disputed domain name <ivecogruppo.com> is registered with eNom, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 24, 2026. On July 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 27, 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 27, 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 August 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 25, 2026.

The Center appointed Anne-Virginie La Spada as the sole panelist in this matter on August 31, 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, part of the Iveco Group, is an Italian company established in 1975. It produces and sells heavy, medium and light commercial vehicles under the mark IVECO. On January 1, 2022, Iveco Group was established as an independent publicly listed entity named Iveco Group N.V. The Complainant's group manages production sites on several continents and thousands of sites in over 160 countries offer technical support services for its vehicles. The countries in which the Complainant's sells its products include Iraq.

The Complainant owns several trademark registrations for the trademark IVECO, including:

- International trademark registration no. 426061 for IVECO registered on October 21, 1976, in classes 7, 9 and 12;
- International trademark registration no. 782547 for IVECO registered on April 22, 2002, in classes 36, 37 and 39; and
- International trademark registration no. 1688211 for IVECO GROUP registered on October 27, 2021, in classes 7, 9, 12, 14, 16, 18, 21, 25, 28, 35, 36, 37 and 39.

The Complainant holds several domain names, among which <iveco.com> (registered on March 15, 1996) and <ivecogroup.com> (registered on February 5, 2014), which resolve to the Complainant's official websites.

The disputed domain name was registered on August 21, 2025. At time of filing of the Complaint, it resolved to a blank page featuring only the mention "Index of" followed by the mentions "Name", "Last modified", "Size", "Description". According to the annexes to the Complaint, mail exchanger ("MX") records and sender policy framework ("SPF") records have been set up for the disputed domain name.

On February 18, 2026, the Complainant sent a cease-and-desist letter to the Respondent via the Registrar's online form. The Respondent did not reply to this letter.

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 a trademark to which the Complainant has rights. The disputed domain name entirely reproduces the Complainant's IVECO trademark with the mere addition of "grupo", which can be interpreted as the translation of the word "group" in Portuguese or Spanish or as a misspelling of the word "group".

The Complainant also states that the Respondent does not have 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. According to the Complainant, in the absence of any license or permission from a complainant to use the complainant's trademarks, no bona fide or legitimate use of a domain name could reasonably be claimed. The Complainant is not aware of the existence of any evidence demonstrating that the Respondent might be commonly known by a name corresponding to the disputed domain name, nor is there 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. The Complainant is also of the view that the disputed domain name creates a risk of implied affiliation with the Complainant.

Finally, the Complainant contends that the disputed domain name has been registered and used in bad faith. The Respondent could not have possibly ignored the Complainant's trademark at the time of registration of the disputed domain name, given the Complainant's use of the mark IVECO since 1975 and the amount of

advertising and sales of the Complainant's commercial vehicles under such mark in Europe and worldwide. The Complainant states also that the Respondent acted in opportunistic bad faith, since it obviously registered the disputed domain name with full knowledge of the Complainant and its trademark for the purpose of taking commercial advantage of the Complainant's trademark. As to use in bad faith, the Complainant points out that this concept may encompass passive holding. In the present case, the Complainant is of the view that the confusing similarity of the disputed domain name with the Complainant's well-known trademark, the Respondent's lack of any rights or legitimate interests in the disputed domain name, and the implausibility of any good faith use to which the disputed domain name may be put, the Respondent's passive holding of the disputed domain name should not prevent a finding of bad faith use.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, a complainant must assert and prove each of the following:

- (i) the domain name registered by the respondent 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 domain name; and
- (iii) the domain name registered by the respondent 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 IVECO 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, "grupo") may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

Indeed, based on the information submitted by the Complainant, the Complainant has not granted the Respondent authorization or license to use its trademark within the disputed domain name, nor has the Complainant acquiesced in any way to such use. Moreover, there is no evidence indicating that the Respondent is commonly known by the disputed domain name.

Furthermore, the record contains no evidence that the Respondent has used or made demonstrable preparations to use the disputed domain name in connection with any type of bona fide offering of goods or services. Instead, the disputed domain name resolved to a an almost blank page, containing only the words "Index of/" and "Name", "Last modified", "Size", "Description". The Panel further notes that the composition of the disputed domain name carries a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

Finally, the Respondent did not file a Response to the Complaint. The Panel may draw from the lack of a Response the inferences that it considers appropriate, according to the Rules, paragraph 14(b).

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.

Given the longstanding use and registration of the Complainant's trademark, and the existence of the Iveco Group, the Panel finds it implausible that the Respondent chose the disputed domain name without having the Complainant's trademark in mind. The term "grupo" is likely to be perceived as the Spanish or Portuguese translation of "group", or as a misspelling of "group" or of "gruppo" (Italian for "group"). Therefore, the Panel therefore accepts that the disputed domain name was registered in bad faith.

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 reputation of the Complainant's trademark and the composition of the disputed domain name. It notes also that the Respondent did not respond to the Complainant cease-and-desist letter (despite reminders from the Complainant) and did not appear in the present proceedings. In view of these factors, good faith use of the disputed domain name appears therefore implausible. Accordingly, the Panel 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 fact that MX records and SPF records were set up for the disputed domain name is furthermore cause to believe that the Respondent intended to use the disputed domain name for fraudulent purposes, such as phishing impersonating or passing off as the Complainant.

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 <ivecogruppo.com> be transferred to the Complainant

/Anne-Virginie La Spada/

Anne-Virginie La Spada

Sole Panelist

Date: September 14, 2026