

ADMINISTRATIVE PANEL DECISION

Edwards Limited v. yicheng liu (刘已成)

Case No. D2026-3486

1. The Parties

Complainant is Edwards Limited, United Kingdom, represented by DePenning & DePenning, India.

Respondent is yicheng liu (刘已成), China.

2. The Domain Name and Registrar

The disputed domain name <edwardsvaccum.com> (the “Domain Name”) is registered with DOMAIN NAME NETWORK PTY LTD (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 6, 2026. On August 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 7, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (NIL) and contact information in the Complaint. The Center sent an email communication to Complainant on August 12, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to Complaint in English on August 17, 2026, an amended Complaint in English on August 18, 2026, and an amendment to Complaint in English on August 20, 2026.

On August 12, 2026, the Center informed the parties in Chinese and English, that the language of the Registration Agreement for the Domain Name is Chinese. On August 17, 2026, Complainant requested English to be the language of the proceeding. Respondent did not submit any comment on Complainant’s submission.

The Center verified that the Complaint together with the amendments to the Complaint and 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 Respondent in Chinese and English of the Complaint, and the proceedings commenced on August 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 9, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 11, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on September 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

Complainant, located in the United Kingdom, manufactures and markets a wide variety vacuum apparatus and vacuum machines, vacuum pumps, oil sealed pumps. Complainant owns numerous registered trademarks for the EDWARDS mark, including:

- Indian trademark registration No. 1603804 for the EDWARDS mark (word and design), registered on SeptemberApril 9, 2010;
- United Kingdom trademark No. UK00002453954 for the E²EDWARDS mark (Figurative), registered on May 9, 2008; and
- United Kingdom trademark No. UK00001237999 for the EDWARDS COOLSTAR mark, registered on March 16, 1985.

Complainant also owns multiple domain name registrations incorporating its trademark, such as <edwards-vacuum.com> and <edwardsvacuum.cn>.

The Domain Name was registered on June 15, 2026 and Complainant's evidence indicated that it resolved to an inactive site.

5. Parties' Contentions

A. Complainant

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations and rights for EDWARDS and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known EDWARDS products and services.

Complainant notes that it has no affiliation with Respondent, nor authorized Respondent to register or use a domain name, which includes Complainant's trademarks, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Rather, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

6.1. Preliminary Issue: Language of the Proceedings

The Rules, in paragraph 11(a), provide that unless otherwise agreed by the parties or specified otherwise in the registration agreement between the respondent and the registrar in relation to the disputed domain name, the language of the proceedings shall be the language of the registration agreement, subject to the authority of the panel to determine otherwise, having regard to the circumstances of the administrative proceedings.

Complainant submitted its original Complaint in English. In its Complaint and amendment to Complaint, Complainant submitted its request that the language of the proceedings should be English. According to the information received from the Registrar, the language of the Registration Agreement for the Domain Name is Chinese. Respondent did not submit any comment on Complainant's submission.

Complainant submits that the Domain Name is in English; and the Registrar's name and referral URL are in English, thus indicating that Respondent has no problem in conducting its business in English. Complainant also submits in its email dated August 17, 2026, that it is based in England and conducts its business in English.

In exercising its discretion to use a language other than that of the Registration Agreement for the Domain Name, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both Parties, taking into account all relevant circumstances of the case, including matters such as the Parties' ability to understand and use the proposed language, time, and costs.

The Panel accepts Complainant's submissions regarding the language of the proceedings. The Panel also notes that the Domain Name contains Complainant's EDWARDS trademarks in their entirety, together with an English term "vaccum" and that the Center notified the Parties in Chinese and English of the language of the proceedings as well as notified Respondent in Chinese and English of the Complaint. Respondent chose not to comment on the language of the proceedings, nor did Respondent choose to file a Response in Chinese or English, and that under paragraph 11(a) of the Rules, the Panel may determine the language of the proceedings having taken into consideration the totality of the circumstances.

Having considered all the circumstances of this case, the Panel determines that English be the language of the proceedings.

6.2. Substantive Issues

WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.3 states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the EDWARDS trademarks, as noted above. Complainant has therefore proven that it has the requisite rights in the EDWARDS trademarks.

With Complainant's rights in the EDWARDS trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it was registered (in this case, is ".com"), is identical or confusingly similar to Complainant's

trademarks. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc.* / Joseph Gross, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant's EDWARDS trademarks as it reproduces the trademark in its entirety. The addition of the term "vaccum" after Complainant's trademark in the Domain Name does not prevent a finding of identity or confusing similarity between the Domain Name and the EDWARDS trademarks. See section 1.8 of the [WIPO Overview 3.1](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its EDWARDS trademarks and does not have any rights or legitimate interests in the Domain Name. Complainant has confirmed that Respondent is not affiliated with Complainant, or otherwise authorized or licensed to use the EDWARDS trademarks or to seek registration of any domain name incorporating these trademarks. Respondent is also not known to be associated with the EDWARDS trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the Domain Name does not resolve to any active website. Therefore, the Domain Name has not been used for any bona fide offering of goods or services nor a legitimate noncommercial or fair use. The use of Complainant's mark when registering the Domain Name does not confer any rights or legitimate interests on Respondent.

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name. Moreover, the composition of the Domain Name, consisting of Complainant's EDWARDS trademark together with the term "vaccum" (a misspelling of the term "vacuum"), carries a risk of user confusion, as Complainant manufactures and markets a wide variety vacuum apparatus and vacuum machines, and vacuum pumps.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location."

The Panel finds that Complainant has provided ample evidence to show that registration and use of the EDWARDS trademarks long predate the registration of the Domain Name. Complainant is also well established and known. Indeed, the record shows that Complainant's EDWARDS trademarks and related products and services are widely known and recognized. Therefore, and also noting the below use analysis, Respondent was clearly aware of the EDWARDS trademarks when it registered the Domain Name.

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Moreover, the inclusion of Complainant's trademark in its entirety in the Domain Name, further reflects the awareness that Respondent had of Complainant and its trademarks at the time of registration. Such adoption of Complainant's trademarks at the time of registration of the Domain Name illustrates Respondent's effort to mislead Internet users as to the Domain Name's association with Complainant.

Prior to filing of the Complaint, the Domain Name resolved to an inactive webpage, which does not prevent a finding of Respondent's bad faith under the circumstances of the case. Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. See also *Brand Shared Services LLC v. Jesse Conwell*, WIPO Case No. [D2025-4486](#) (passive holding of a domain name, in combination with factors such as domain name composition and reputation of the mark, can constitute registration and use in bad faith under the UDRP), and *Brand Shared Services, LLC v. marilyn yonan*, WIPO Case No. [D2026-0040](#).

Despite being inactive, there is no indication or evidence that Respondent is preparing to use the Domain Name for any good faith purpose.

Further, the Panel also notes the failure of Respondent to submit a response. In the present circumstances, considering the reputation of the EDWARDS trademarks, and the composition of the Domain Name, the Panel finds that the passive holding of the Domain Name does not prevent a finding of bad faith. Therefore, the Panel finds that Respondent registered and is using the Domain Name in bad faith.

Therefore, the Panel finds that Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <edwardsvaccum.com> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: September 18, 2026