

PANEL DECISION

BGIN Trading Limited and BGIN EU Limited v. Michal Beno
Case No. DEU2025-0038

1. The Parties

The Complainants are BGIN Trading Limited, Hong Kong, China (the “First Complainant”) and BGIN EU Limited, Ireland (the “Second Complainant”), represented by Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., United States of America (“United States”).

The Respondent is Michal Beno, Czech Republic, self-represented.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <iceriver.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”). The Registrar of the disputed domain name is WEDOS Internet, a.s (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 24, 2025. On December 26, 2025, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On December 29, 2025, the Registry transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the “ADR Rules”) and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the “Supplemental Rules”).

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 14, 2026. In accordance with the ADR Rules, Paragraph B(3)(a), the due date for Response was February 3, 2026. The Response was filed with the Center on February 2, 2026.

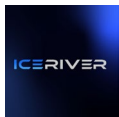
The Center verified whether the Response satisfied the formal requirements of the ADR Rules and the Supplemental Rules. On February 4, 2026, the Center notified the Respondent of the deficiencies of the Response as required by Paragraphs B(3)(b) and (d) of the ADR Rules. On February 11, 2026, the Respondent submitted an amendment to the Response, curing these deficiencies.

The Center appointed Assen Alexiev as the sole panelist in this matter on February 18, 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 ADR Rules, Paragraph B(5).

On February 25, 2026, the Complainant made a supplemental submission. On March 3 and 5, 2026, the Respondent made a supplemental submission and sent a further email communication to the Center.

4. Factual Background

The First Complainant is a cryptocurrency mining hardware manufacturer. It designs and sells ICERIVER-branded mining machines equipped with proprietary application specific integrated circuit (ASIC) chips configured to mine specific cryptocurrency coins. The official website of the First Complainant through which it sells its ICERIVER products is located at the domain name <iceriver.io>, registered on February 24, 2023. The official logo of the First Complainant, first published on April 14, 2023, on the social network X¹ with its announcement of the release of its new ICERIVER products, is



The Second Complainant is a company incorporated in Ireland and affiliated to the First Complainant.

The First Complainant is the owner of the following trademark registrations for ICERIVER (the "ICERIVER trademark"):

- the European Union trademark **ICERIVER** (combined) with registration No. 018901863, applied for on July 17, 2023, and registered on October 28, 2023, for goods in International Class 9; and
- the European Union trademark ICERIVER (word) with registration No. 018901977, applied for on July 17, 2023, and registered on October 28, 2023, for goods in International Class 9.

The Respondent is the CEO of ICERIVER EU s.r.o. This company was registered on December 5, 2023, in the Czech Republic with registration number (IČO) 19989563, as evident from the Respondent's website.²

The disputed domain name was registered on June 30, 2023. On December 7, 2023, it resolved³ to a website that offered for sale the Complainants' ICERIVER products and prominently displayed the **ICERIVER** logo

The website at the disputed domain name stated: "ICERIVER is the world-leading cryptocurrency mining manufacturer. We are committed to developing the most efficient mining products and providing the highest quality services" and "We are the only official distributor for factory ICERIVER in EUROPE."

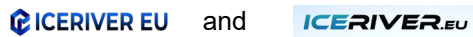
The disputed domain name currently resolves to a website that offers the Complainants' ICERIVER

¹ <https://x.com/iceriverminer/status/1646777219543601153?s=46&t=RXN90REYwc478bz>

² See <https://iceriver.eu/pages/contact>, which displays a link to <https://rejstrik.penize.cz/19989563-iceriver-eu-s-r-o>

³ See the Wayback Machine copy at <https://web.archive.org/web/20231207170849/https://iceriver.eu/>

cryptocurrency mining equipment and displays two different logos:⁴



The website states: “ICERIVER EU is the official European distributor of ICERIVER ASIC Miners and a trusted provider of hosting solutions in both the EU and USA. We also offer Premium Support, including dedicated call assistance” and “We are the only official distributor for factory ICERIVER in EUROPE.”

The Respondent’s website also includes links to its profiles on social networking websites. Its profiles on X, Instagram and Facebook include the description “Official Distribution of ICERIVER ASIC miners in Europe, USA, UAE.” The Respondent’s profile on YouTube includes the description “ICERIVER is the world-leading cryptocurrency mining manufacturer. We are committed to developing the most efficient mining products and providing the highest quality services.”

The first contact between the Parties was made on March 25, 2024, when the Respondent contacted the Complainant by email with a proposal for cooperation. The Respondent stated:

“... We are running ICERIVER.EU website. We would like to start cooperation and agreement with you. We are the only official supplier of ICERIVER machines in Europe. (We have official company name ICERIVER EU s.r.o. registered here in state court). ... Me as CEO of this company I would like to have discussion with you to find mutual approach in the future.”

The Complainant responded with a cease-and desist letter, and no agreement was reached between them. On August 14, 2024, the Complainant published on the social network platform X a public statement⁵ that the company operating the disputed domain name is not authorised to use the ICERIVER trademark and falsely attempts to represent itself as an affiliate or an authorised distributor of the Complainant’s products.

5. Parties’ Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainants state that the disputed domain name is confusingly similar to the First Complainant’s ICERIVER trademark, because it incorporates it in its entirety, and the “.eu” country code Top-Level Domain (“ccTLD”) is irrelevant for the confusing similarity analysis.

According to the Complainants, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because they have not licensed or otherwise permitted it to use the ICERIVER trademark and the Respondent has no relationship with the Complainants. According to the Complainants, the Respondent has registered the disputed domain name to create the misleading impression of being associated with the Complainants. The Complainants note that the disputed domain name resolves to a website that displays the ICERIVER trademark and states that it is the official European distributor of ICERIVER ASIC miners and the only official distributor of the factory ICERIVER in Europe. The Complainants add that a hyperlink to the disputed domain name appears as a sponsored hyperlink in Google search results, and this sponsored hyperlink is paid for by the company ICERIVER EU s.r.o, which is associated with the Respondent.

The Complainants contend that the disputed domain name was registered and is being used in bad faith. According to them, the disputed domain name is being intentionally used to attract Internet users, for commercial gain, to the website at the disputed domain name by creating a likelihood of confusion with the

⁴ See the title page of the website and the internal page <https://iceriver.eu/pages/contact>

⁵ <https://x.com/IceRiverMiner/status/1823630512705167861>

ICERIVER trademark. The Complainants add that the disputed domain name is also being used for disrupting their business.

On May 30, 2025, the Complainants sent a cease-and-desist letter to the Respondent to cease all use of ICERIVER trademark and to turn over the disputed domain name. Several weeks later, the Respondent altered the font style on the website at the disputed domain name, but continued to use the ICERIVER trademark in its activities.

B. Respondent

The Respondent states that ICERIVER EU s.r.o. is a company that is lawfully registered in the European Union, and its name predates the First Complainant's European Union trademark ICERIVER, whose effect is not retroactive. The Respondent submits that the disputed domain name reflects the name of this company and is used for bona fide business activities. The Respondent claims that there is no bad faith registration or use. According to it, this proceeding is an attempt to liquidate the Respondent's business or to gain control over it.

The Respondent does not dispute that the disputed domain name contains the string "iczriver", and maintains that the relevant issue is whether the Complainants have enforceable rights recognised under European Union or Member State law that are prior and controlling against the Respondent for the purposes of the ADR Rules.

The Respondent states that it holds independent rights and legitimate identity through the trade name of the company ICERIVER EU s.r.o., which is registered in the Czech Republic, and this is a right recognised under Member State law. The Respondent maintains that the disputed domain name corresponds to its company name and is used for its business, which according to it supports legitimate interests and undermines any claim of exclusive entitlement to the term. The Respondent points out that the ICERIVER trademark was registered only after the Respondent became the owner of the disputed domain name. The Respondent points out that it first owned the disputed domain name and operated his company's website on it, and only afterwards did the First Complainant register the ICERIVER trademark.

The Respondent submits that it has rights and legitimate interests in the disputed domain name under the ADR Rules for the following reasons:

- before notice of the dispute, it used the disputed domain name in connection with the offering of goods and services, including ASIC miner sales, hosting services, logistics, customer support, service coordination, and related services;
- the Respondent's company ICERIVER EU s.r.o. is commonly known by a name corresponding to the disputed domain name;
- the Respondent operates openly with disclosed contact details and has a demonstrable customer history and reputation; and
- the Respondent's company participated in Blockchain Life 2024 in Dubai with physical presence and engagement in professional discussions and panels.

As to the Complainants allegation that the Respondent misrepresented itself as an "official" or "exclusive" distributor, the Respondent emphasises that it is an independent European Union business that may lawfully sell and provide services for products available on the market. It adds that to the extent any past wording could have been interpreted too broadly, the Respondent adjusted it in good faith as a precaution. According to the Respondent, such adjustment is not evidence of bad faith, but demonstrates compliance efforts and reduction of any potential confusion.

The Respondent maintains that its logo is not identical to the First Complainant's logo. It differs in colours, typography, the graphical form of the letter "e", and includes the additional letters "eu" or the ccTLD ".eu". The Respondent states that it started using its branding before the First Complainant applied for registration of its trademark on July 17, 2023.

The Respondent claims that it registered and is using the disputed domain name as the identifier of its business and not for sale, blocking, or exploitation of the Complainants' reputation. The Respondent adds that the disputed domain name was registered by the Respondent before the First Complainant used its designation on its websites.

The Respondent maintains that the alleged website similarity is not determinative under the ADR test absent proof of intent to mislead, that the e-commerce in ASIC products uses standard elements, such as spec tables, product layouts, photos, and that the Respondent uses its own colours, logo, and legal entity identification.

According to the Respondent, this dispute does not involve classic cybersquatting, but concerns a domain name used for an operating European Union business with real customers. The Respondent asks the Panel to consider whether the requested transfer is primarily aimed at taking over an existing business rather than remedying abusive registration. The Respondent requests consideration of abuse of proceeding under ADR Rules, Paragraph B(12)(h).

6. Discussion and Findings

6.1. Procedural issue - Language of the proceeding

The language of the registration agreement for the disputed domain name is Czech.

The Complainants previously requested to change the language of the ADR proceeding to English. On December 23, 2025, the Panel in *BGIN EU Limited and BGIN Trading Limited v. Michal Beno*, WIPO Case No. [DEUL2025-0002](#), ordered that the language of the ADR proceeding involving the disputed domain name shall be English. That decision is final and not subject to appeal.

Therefore, the language of the present proceeding is English.

In view of the above, since the Respondent has submitted its Response in both Czech and English, the Panel expects and accepts that the Respondent has taken due care to avoid any discrepancies between the two language versions, and will take into account and consider the English version of the Response for the purposes of the present decision.

6.2. Procedural issue - Consolidation of the Complainants

The Complaint has been filed by two Complainants. The First Complainant holds certain trademark registrations in the European Union, while the Second Complainant is an affiliated entity registered in the European Union. The Complainants request the Panel to order the transfer of the disputed domain name to the Second Complainant.

The ADR Rules do not expressly contemplate the possibility of an ADR complaint filed jointly by multiple complainants, but also do not prohibit such possibility.

Panels in .EU cases have considered that there are substantive similarities between the ADR Rules and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), and have referred to the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), where appropriate. See, e.g., *Vitalen Otomotiv A.Ş and Vitalen Technology GmbH v. Faith Ünsal*, WIPO Case No. [DEU2022-0001](#).

This Panel concurs with this practice. Since the [WIPO Overview 3.0](#) has very recently been replaced by the updated WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), the Panel finds it appropriate to make references to the [WIPO Overview 3.1](#) in this decision on issues in respect of which there are substantive similarities between the ADR Rules and the UDRP.

As discussed in sections 1.4.1 and 1.4.2 of the [WIPO Overview 3.1](#), a trademark owner’s affiliate such as a subsidiary of a parent or of a holding company is considered to have rights in a trademark under the UDRP for purposes of standing to file a complaint. Where multiple related parties have rights in the relevant mark on which a UDRP complaint is based, the complaint may be brought by any one party, on behalf of the other interested parties; in such case, the complainants may wish to specify to which of such named interested parties any transfer decision should be directed.

As also discussed in section 4.11.1 of the [WIPO Overview 3.0](#), in assessing whether a complaint filed by multiple unrelated complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.

Having considered the circumstances of the present case, the Panel finds that it is justified to consolidate the Complainants, as they are affiliated to each other and have rights in the ICERIVER trademark for the purposes of the ADR Rules (see section 6.4.A below), and the Respondent’s use of the disputed domain name affects their rights and legitimate interests in a similar fashion. The Panel is also unaware of any reasons why it would not be equitable or procedurally efficient to permit such consolidation. Rather, it appears that such consolidation will contribute to the efficiency of the proceeding without denying any party the opportunity to present its case. This conclusion is also supported by the fact that the Respondent does not object to the consolidation of the Complainants.

Therefore, the Panel allows the consolidation of the Complainants in the present proceeding.

6.3. The Parties’ unsolicited supplemental submissions

In the interests of fairness and procedural efficiency, unsolicited supplemental filings are generally discouraged in proceedings under the ADR Rules, except in cases where significant new factors have emerged since the filing of the relevant party’s original pleading, where the opposing party makes submissions that the other party could not reasonably have anticipated, or where other exceptional circumstances exist.

The Complainants’ unsolicited supplemental filing, as submitted, responds to certain arguments advanced in the Response. The Respondent’s supplemental submission responds to the arguments advanced in the Complainants’ supplemental filings. Neither the Complainants or the Respondent refer to any exceptional circumstances that may justify the acceptance of a further filing after the exchange of the Complaint and the Response.

Therefore, the Panel determines under its general powers as set out in paragraph B(7) of the ADR Rules that the Complainants’ and Respondent’s unsolicited supplemental filings should not be admitted in the proceeding, and the Panel notes that even if those had been considered these would not have altered the outcome.

6.4. Substantive issues

Under Paragraph B(11)(d)(1) of the ADR Rules, the Complainants are required to demonstrate the following:

(i) that the disputed domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by national law of a Member State and/or European Union law; and either

(ii) that the disputed domain name has been registered by the Respondent without rights or legitimate interests in the name; or

(iii) that the disputed domain name has been registered or is being used in bad faith.

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

Paragraph B(11)(d)(1)(i) of the ADR Rules requires that the disputed domain name be “identical or confusingly similar to a name in respect of which a right is recognized or established by national law of a member State and/or European Union law”. Paragraph (B)(1)(b)(9) of the ADR Rules contains a list of rights which fall within the definition of “a name in respect of which a right is recognized or established” provided in Paragraph (B)(11)(d)(1)(i) of the ADR Rules. The list includes, inter alia: “copyright, trademarks and geographical indications provided in national law or European Union law, and, insofar as they are protected under national law in the Member States where they are held: unregistered trademarks, trade names, business identifiers, company names, family names and distinctive titles of protected literary and artistic works”.

The Complainants have provided evidence that the First Complainant is the owner of the ICERIVER trademark, protected under European Union law, thus complying with the requirements of Paragraph B(11)(d)(1)(i) of the ADR Rules.

The Complaint has been filed by two Complainants, which are both members of the same group of companies. As discussed in section 1.4.1 of the [WIPO Overview 3.1](#), a trademark owner’s affiliate is considered to have rights in a trademark for purposes of standing to file a complaint under the UDRP.

The Panel is of the opinion that the same principle should also apply in ADR proceedings, and accepts that the Second Complainant also has rights in the ICERIVER trademark for the purposes of standing to file the Complaint.

The disputed domain name incorporates the ICERIVER trademark without the addition of any other elements.

As stated in numerous prior cases, the “.eu” ccTLD, being a mere technical requirement for registration, is typically disregarded for the purposes of consideration of confusing similarity between a trademark and a domain name. See also section 1.11 of the [WIPO Overview 3.1](#).

The Panel therefore finds that the disputed domain name is identical to the ICERIVER trademark in which the Complainants have rights as required by Paragraph B(11)(d)(1)(i) of the ADR Rules.

B. Rights or Legitimate Interests

The Respondent’s defence is based on claimed priority of its rights. According to the Respondent, it registered the disputed domain name before the Complainant registered its trademark.

The Respondent does not deny expressly that it knew of the Complainant when it registered the disputed domain name. It does not claim that it has created the name and the brand ICERIVER without knowledge of the Complainant or that it is using it in relation to products that are different from the Complainant’s goods and do not originate from the Complainant, even if the Respondent claims to be an independent EU business that may lawfully sell and provide services for products available on the market.

The disputed domain name is identical to the Complainants’ ICERIVER trademark and carries a high risk of implied affiliation to the Complainants. See section 2.5.1 of the [WIPO Overview 3.1](#). While the Respondent points out that the ICERIVER trademark was registered only after the Respondent became the owner of the disputed domain name, it was registered several months after the first release of the Complainants’

ICERIVER cryptocurrency mining machines and only 17 days before the First Complainant filed its applications for the registration of the ICERIVER trademark in the European Union. It resolves to a website that offers for sale the Complainants' machines and displays two different logos, both of which include ICERIVER as their distinctive element, and one of these logos is almost identical to the Complainants' ICERIVER figurative trademark and logo. The website previously displayed the exact trademark and logo of the Complainant. The Respondent's website claims that its operator is "the official European distributor of ICERIVER ASIC Miners and a trusted provider of hosting solutions in both the EU and USA" and that "We are the only official distributor for factory ICERIVER in EUROPE." The Respondent's website does not include any disclaimer for the lack of any relationship between the Parties. Since there is no dispute in this proceeding that no such relationship exists as to allow the Respondent identifying itself as an "official distributor", the Respondent does not explain how the above statements on its website could be considered as having been done in good faith without intent to confuse Internet users. It may be that the Respondent is reselling ICERIVER products, but even in such case the use of the terms "official distributor" goes beyond the mere act of reselling and creates an impression of affiliation or relationship between the Parties where none officially exists.

In view of the above, it appears that the Respondent registered the disputed domain name and activated the associated website targeting the ICERIVER brand of the Complainants in an attempt to impersonate them, confuse and attract their customers, and sell the Complainants' products for commercial gain, or to use it as a leverage for a negotiation of a potential relationship with the Complainants.

Considering also the correspondence with the First Complainant, initiated by the Respondent in 2024, where it stated "We are the only official supplier of ICERIVER machines in Europe", it appears that the Respondent also intended to put the Complainants in a position where they could not independently carry out their business in the European Union under the ICERIVER trademark, but would be forced to do so through the Respondent.

The Respondent also claims that it has rights and legitimate interests in the disputed domain name, because it reflects the name of its company ICERIVER EU, s.r.o.

As discussed in section 2.12.2 of the [WIPO Overview 3.1](#), the existence of a registered business name does not automatically confer rights or legitimate interests on the respondent. Panels have generally declined to find rights or legitimate interests in a respondent's domain name on the basis of a corresponding business registration where the overall circumstances demonstrate that such trademark was obtained primarily to circumvent the complainant's assertion of its rights or otherwise prevent the complainant's exercise of its rights (even if only in a particular jurisdiction).

The Respondent's company ICERIVER EU, s.r.o. was registered in December 2023. This is after the registration of the ICERIVER trademark in the European Union, which came into effect in October 2023.

Considering all the circumstances of this case discussed above in this section, the registration of the Respondent's company ICERIVER EU, s.r.o. appears to have been made in an attempt to prevent the Complainant's exercise of its rights in the ICERIVER trademark, or to create an appearance of rights to support the Respondent's position in an eventual dispute, which cannot give rise to rights or legitimate interests in the disputed domain name.

In view of all the above, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name. Therefore, the Complainants have established the requirement under Paragraph B(11)(d)(1) of the ADR Rules.

C. Registered or Used in Bad Faith

As the two conditions stipulated in Paragraph B(11)(d)(1)(i) and (ii) of the ADR Rules have already been fulfilled, the Panel does not need to examine whether the Respondent has registered or is using the disputed domain name in bad faith, under Paragraph B(11)(d)(1)(iii) of the ADR Rules, since the conditions stipulated in Paragraphs B(11)(d)(ii) and (iii) of the ADR Rules are considered alternate bases for a successful complaint.

However, since the Complainants have put forward facts and arguments to support a claim that the Respondent has registered or is using the disputed domain name in bad faith, the Panel has used its discretionary powers to address these issues as well.

The disputed domain name was registered on June 30, 2023, while the Complainants' ICERIVER trademark was applied for 17 days later - on July 17, 2023, and was registered on October 28, 2023. Where a respondent registers a domain name before the complainant's trademark rights accrue, panels will not normally find bad faith on the part of the respondent. See section 3.8.1. of the [WIPO Overview 3.1](#).

There are however exceptions to this rule. As noted in section 3.8.2 of the [WIPO Overview 3.1](#), in certain limited circumstances where the facts of the case establish that the respondent's intent in registering the domain name was to unfairly capitalise on the complainant's nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith.

Based on the facts of the case and their interpretation made in the previous sections, the Panel finds that the Respondent knew of and targeted the Complainants' yet-unregistered ICERIVER trademark when it registered and started using the disputed domain name, and did so in an attempt to confuse Internet users as to the affiliation of its website and business to the Complainants, for commercial gain.

The Panel therefore finds that the Respondent has registered and is using the disputed domain name in bad faith under Paragraph (B)(11)(f)(4) of the ADR Rules, and that the condition under Paragraph B(11)(d)(1)(iii) of the ADR Rules has been satisfied.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain name, <iceriver.eu> be transferred to the Second Complainant.⁶

The Panel also finds that the Second Complainant meets the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: March 4, 2026

⁶ The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.