

PANEL DECISION

BDD Tradewin24 AD Beograd v. Njalla Guokte S.R.L.
Case No. DEU2026-0010

1. The Parties

The Complainant is BDD Tradewin24 AD Beograd, Serbia, represented internally.

The Respondent is Njalla Guokte S.R.L., Romania.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <tradewin24.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”). The Registrar of the disputed domain name is Immaterialism Limited, United Kingdom.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 10, 2026. On March 11, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On March 12, 2026, 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 March 20, 2026. In accordance with the ADR Rules, Paragraph B(3)(a), the due date for Response was April 9, 2026. The Respondent did not submit a response. Accordingly, the Center notified the Respondent’s default on April 10, 2026.

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

On April 16, 2026, a third party sent an email communication to the Center.

4. Factual Background

The Complainant is a Serbian financial services provider. It submits that it is the holder of a license issued in 2018 by the Securities Commission of the Republic of Serbia, and that its official website is located at the domain name <tradewin24.com>, registered since 2022.



The Complainant is the owner of the Serbian trademark with registration No. 081824, registered on January 11, 2022, for services in International Classes 36 and 41.

The disputed domain name was registered on April 20, 2021. It resolves to a Serbian language website that contains criticism of the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant states that the disputed domain name is confusingly similar to its trademark. The Complainant claims that the website at the disputed domain name is "directly related to the business activity of the Complainant, not any other entity or person", and contains "intentionally wrongful infringing information that is purposed to damage the reputation of the Complainant in the eyes of its customers".

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, as it has not used the disputed domain name in connection with a bona fide offering of goods or services, is not making a legitimate noncommercial or fair use of the disputed domain name, and does not provide any professional licensed financial services under the disputed domain name in any jurisdiction. The Complainant adds that the Respondent is not commonly known by the disputed domain name and has not acquired any trademark or service mark rights recognized or established by national and/or European Union law.

The Complainant contends that the disputed domain name was registered and is being used in bad faith primarily for the purpose of disrupting the professional activities of the Complainant. The Complainant notes that the disputed domain name bears the Complainant's trademark as a professional services provider, so the searching algorithms would regard the website at the disputed domain name as related to the activities of the Complainant. According to the Complainant, the only purpose of the Respondent is to give to the potential customers intentionally wrong information about the owner of the registered trademark and its professional services, and to disrupt its professional activities. The Complainant has requested the revocation of the disputed domain name.

B. Respondent

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

On April 16, 2026, a third party made a submission to the Center, whereby it stated (in relevant part):

- That it is the beneficial holder and controller of the website at the disputed domain name, which was registered through proxy/privacy registrant entities;
- That it became aware of the present proceeding on April 16, 2026, when the proxy/privacy registrant entities forwarded to it the communications from the Center;
- That it requests the Panel to exercise its discretion to consider its late Response;
- That the disputed domain name has been registered and actively used for over five years as a non-commercial investigative journalism platform. The associated website explicitly states that all information concerning the Complainant and related entities is based exclusively on open public sources, with source links provided, and the website carries no advertising, generates no revenue, and serves the public interest by documenting matters of genuine concern regarding financial irregularities, regulatory failures, and ownership structures in the Serbian capital markets sector; and
- That the disputed domain name has not been used as the Complainant's commercial website nor to offer brokerage or financial services and has not been offered for sale.

The third party did not provide any evidence in support of its statements.

6. Discussion and Findings

6.1. Procedural Issue - Intervention by a Third Party

A third party has intervened in this proceeding claiming to be the beneficial owner of the disputed domain name. It intervened after the expiration of the due date for the submission of a Response and after the Center informed the Parties of the Respondent's Default.

The submission of the third party contains no evidence supporting its allegations that it is the beneficial owner of the disputed domain name and that it was informed of the proceeding by the nominal registrant of the disputed domain name only on April 16, 2026.

Considering the above, the Panel does not find it justified to admit the third party to participate in this proceeding and to take into account its submission. Nevertheless, the Panel notes that even if the third party were allowed to participate in the proceeding and its submission was taken into account, that would not have changed the outcome of the dispute.

6.2. Substantive Issues

Article 4(4) of the Regulation (EU) 2019/517 of The European Parliament and of The Council of 19 March 2019 on the implementation and functioning of the .eu Top-Level Domain Name and amending and repealing Regulation (EC) No 733/2002 and repealing Commission Regulation (EC) No.874/2004 provides that "A domain name may also be revoked, and where necessary subsequently transferred to another party, following an appropriate ADR or judicial procedure, in accordance with the principles and procedures on the functioning of the .eu TLD laid down pursuant to Article 11, where that name is identical or confusingly similar to a name in respect of which a right is established by Union or national law, and where it:

- (a) has been registered by its holder without rights or legitimate interest in the name; or
- (b) has been registered or is being used in bad faith”.

The above provision is substantially analogous to the provision of Article 21(1) of the repealed Commission Regulation (EC) No.874/2004.

Similarly, Paragraph B11(d)(1) of the ADR Rules provides that “The Panel shall issue a decision granting the remedies requested under the Procedural Rules in the event that the Complainant proves:

(1) in an ADR Proceeding where the Respondent is the holder of a .eu domain name registration in respect of which the Complaint was initiated, that:

- (i) The domain name is identical or confusingly similar to a name in respect of which a right is recognised or established by the national law of a Member State and/or European Union law and; either
- (ii) The domain name has been registered by the Respondent without rights or legitimate interest in the name; or
- (iii) The 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 B11(d)(1)(i) of the ADR Rules requires the Complainant to establish that the disputed domain name is identical or confusingly similar to a name in respect of which a right is recognised or established by the national law of a Member State and/or European Union law.

The Complainant submits that it is the owner of a national trademark that is registered in Serbia. The Complainant claims that “The international recognition of a trademark follows from the par. 1 art. 39 of the REGULATION (EU) 2017/1001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 June 2017 on the European Union trade mark. The contrary means that an internationally registered trade mark does have a legal protection in the EU only because of the domain name .eu”.

The Panel finds that the Complainant’s statement does not properly reflect the purpose and meaning of the cited European Union Regulation, and cannot be interpreted to mean that the Complainant’s Serbian trademark represents a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law.

Since Serbia is a third country to the European Union similarly to the United Kingdom following Brexit, the Panel considers that the interpretation given by the European Commission in its Notice titled “Withdrawal of the United Kingdom and EU Rules in the field of .eu domain names”¹ is applicable to the case at hand by analogy.

Section 3 of this EU Commission Notice states:

“3. RIGHTS THAT CAN BE INVOKED IN PROCEDURES FOR THE REVOCATION OF SPECULATIVE AND ABUSIVE REGISTRATIONS

According to Article 21(1) of Regulation (EC) 874/2004, a registered domain name is subject to revocation, using an appropriate extra-judicial or judicial procedure, where that name is identical or confusingly similar to

¹Available at “https://commission.europa.eu/document/download/9b5f08d1-f997-4c55-9d1d-a00359005921_en?filename=eu_domain_names_en.pdf&prefLang=fi”

a name in respect of which a right is recognised or established by national and/or Union law and where the registered domain name was the subject of speculative and abusive registration as described in that Article.

After the end of the transition period, rights recognised or established by the United Kingdom, but not by EU Member States or by the Union, can no longer be invoked in procedures under Article 21(1) of Regulation (EC) 874/2004. By contrast, rights recognised by the EU Member States or by the Union, arising from international instruments, like rights arising from Article 6bis of the Paris Convention for the Protection of Industrial Property and Article 16(2) and (3) of the Agreement on Trade-related Aspects of Intellectual Property Rights, are not affected.”

It is clear from the text of the above notice that national trademarks registered in the United Kingdom, but not in a Member State of the European Union, cannot be invoked in ADR proceedings in relation to .eu domain names. The Panel believes that the same approach should be taken in respect of trademarks registered in Serbia, but not in a Member State of the European Union.

Therefore, and since the Complainant does not claim having rights in a European Union trademark, or in a trademark registered in a Member State of the European Union, and does not claim having rights recognised by the EU Member States or by the Union, arising from international instruments, like rights arising from Article 6bis of the Paris Convention for the Protection of Industrial Property and Article 16(2) and (3) of the Agreement on Trade-related Aspects of Intellectual Property Rights, the Panel finds that the Complainant has not established that that it has rights in a name that are recognised or established by the national law of a Member State and/or European Union law.

For the above reasons, the Complainant does not have standing to file the Complaint, and the same must fail.

B. Rights or Legitimate Interests

Since the Complainant has not established the first element of the test under Paragraph B11(d)(1) of the ADR Rules, it is not necessary for the Panel to address this element.

C. Registered or Used in Bad Faith

Since the Complainant has not established the first element of the test under Paragraph B11(d)(1) of the ADR Rules, it is not necessary for the Panel to address this element.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: April 27, 2026