ADMINISTRATIVE PANEL DECISION RELATED TO THE REQUEST TO CHANGE THE LANGUAGE OF THE ADR PROCEEDING

European Refreshments Unlimited Company v. Radoslav Velkov, Tilt Pro EOOD
Case No. DEUL2026-0003

1. The Parties

The Complainant is European Refreshments Unlimited Company, Ireland, represented by ECIJA, Spain.

The Respondent is Radoslav Velkov, Tilt Pro EOOD, Bulgaria.

2. The Domain Name, Registry and Registrar

The disputed domain name is <drpepper-eu.eu>. The Registry of the disputed domain name is the European Registry for Internet Domains ("EURid" or the "Registry"). The Registrar of the disputed domain name is SuperHosting.BG Ltd.

3. Procedural History

The Request to Change the Language of the ADR Proceeding (the "Request") was filed in English with the WIPO Arbitration and Mediation Center (the "Center") pursuant to the .eu Alternative Dispute Resolution Rules (the "ADR Rules"), Paragraph A(3)(b), on April 23, 2026. On April 24, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On April 27, 2026, the Registry 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 and contact information in the Request. The Center sent an email communication to the Complainant on April 28, 2026, providing the registrant and contact information disclosed by the Registry, and inviting the Complainant to submit an amendment to the Request. The Complainant filed an amendment to the Request on April 30, 2026.

In accordance with the ADR Rules, Paragraph A(3)(b)(3), the Center formally notified the Respondent of the Request, and the proceedings commenced on May 5, 2026. In accordance with the ADR Rules, Paragraph A(3)(b)(4), the due date for Response was May 17, 2026. The Respondent submitted a response on May 12, 2026.

The Center appointed Assen Alexiev as the sole panelist in this matter on June 5, 2026, in accordance with the ADR Rules, Paragraph A(3)(b)(4). 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).

4. Factual Background

The disputed domain name was registered on May 12, 2025. It currently resolves to an error page. At the time of filing of the Request, the disputed domain name resolved to a multi-language website (including an English version) with the title "drpepper-eu.eu - Dr Pepper Europe" that offered for sale various soft drinks under the brands Dr Pepper, Schweppes, Canada Dry, and Mountain Dew, with prices indicated in Euros. The "About Us" section of the website included the statements "We proudly offer a handpicked selection of the world's most iconic beverage brands, delivered swiftly and securely to every country within the European Union," and "We operate across the European Union, offering both direct to customer and B2B wholesale services." The website also displayed the copyright notice "© 2026 Dr Pepper Europe, Powered by Shopify."

The language of the Registration Agreement is Bulgarian.

5. Parties' Contentions

A. Complainant

The Complainant requests that English be the language of the ADR Proceeding. The Complainant notes that the website to which the disputed domain name resolves is entirely or predominantly in English and targets an international audience, as it states that they offer and deliver their products to every country within the European Union. According to the Complainant, this shows that the Respondent uses or understands English in the operation and promotion of the disputed domain name.

The Complainant adds that it is not based in Bulgaria and conducting the proceeding in Bulgarian would impose disproportionate translation costs and delays that are unnecessary for the efficient resolution of the dispute, and that the use of English in the proceeding will promote procedural economy and ensure equality of arms while preserving the Respondent's right to be heard.

B. Respondent

The Respondent does not agree with the Request and wishes the communications in the proceeding to continue in Bulgarian. The Respondent however does not dispute the Complainant's evidence related to the content of the website at the disputed domain name, and does not deny having knowledge of English.

6. Discussion and Findings

In accordance with Paragraph A(3)(a) of the ADR Rules, "unless otherwise agreed by the Parties, or specified otherwise in the Registration Agreement, the language of the ADR Proceeding shall be the language of the Registration Agreement for the disputed domain name. In the absence of an agreement between the Parties, the Panel may in its sole discretion, having regard to the circumstances of the ADR Proceeding, decide on the written request of a Complainant that the language of the ADR Proceeding will be different than the language of the Registration Agreement for the disputed domain name."

In accordance with Paragraph B(7)(b) and (c) of the ADR Rules, the Panel shall ensure on the one hand that the Parties are treated fairly and with equality, and shall ensure, on the other hand, that the ADR Proceeding takes place with due expedition.

In this case, the language of the Registration Agreement is Bulgarian. The Complainant requests that English be the language of the proceeding. The evidence submitted by the Complainant shows that the disputed domain name previously resolved to a multi-language commercial website that included an English version and that it claimed that its operator was active in all countries in the European Union.

The Respondent was duly informed of the Complainant's Request that the proceeding be held in English through correspondence from the Center that was written both in English and in Bulgarian. There is therefore no reason to doubt that the Respondent became aware of this Request and understood that it had an opportunity to respond to it. The Respondent objected to the Complainant's Request, but did not dispute the Complainant's factual allegations or the evidence attached to it, and did not deny having knowledge of English. The Respondent also did not bring forward any arguments why it would be treated unfairly if the proceeding was held in English or any reason why the use of this language would delay the proceeding.

The above leads the Panel to the conclusion that it is more likely than not that the Respondent can communicate in English and that the adoption of this language in the proceeding would not negatively affect the equality of the Parties and the Respondent's ability to defend himself. Rather, it appears that the adoption of English as the language of the proceeding would be fair and would contribute to the proceeding taking place with due expedition and without an unreasonable increase of the costs.

7. Decision

For the foregoing reasons, in accordance with Paragraph A(3)(b)(6) of the ADR Rules, the Panel orders that the language of the ADR proceeding shall be English and any future submission by the Parties (including the submission of a new Complaint) regarding the disputed domain name <drpepper-eu.eu> shall be made in the language of the ADR Proceeding in accordance with paragraph A(3)(c) of the ADR Rules.

This Panel's decision shall be final and not subject to appeal.

/Assen Alexiev/
Assen Alexiev
Sole Panelist
Date: June 10, 2026