

## **ADMINISTRATIVE PANEL DECISION**

IUCN, International Union for Conservation of Nature and Natural Resources  
v. Mehmet Gumus  
Case No. DIO2025-0012

### **1. The Parties**

The Complainant is IUCN, International Union for Conservation of Nature and Natural Resources, Switzerland, represented MOTSNYI IP GROUP, Serbia.

The Respondent is Mehmet Gumus, Türkiye.

### **2. The Domain Name and Registrar**

The disputed domain name <iucncoin.io> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 11, 2025. On April 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 11, 2025, 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 and contact information in the Complaint (Privacy service provided by Withheld for Privacy ehf). The Center sent an email communication to the Complainant on April 15, 2025 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 amended Complaint on April 19, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the “Policy”), the Rules for .IO Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .IO 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 April 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2025. The Respondent did not submit any formal response but sent an email communication to the Center on April 30, 2025 following which the Parties requested the

suspension of the proceedings. The proceedings were suspended on May 5, 2025 and reinstated on June 6, 2025.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on July 3, 2025. 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, IUCN, International Union for Conservation of Nature and Natural Resources, is a membership union of government and civil society organizations under Swiss law. Created in 1948, IUCN is now one of the world's largest and most diverse environmental networks, harnessing the knowledge, resources and reach of our more than 1,400 member organizations and 17,000 experts.

It results from the evidence provided, which has remained undisputed, that the Complainant is the owner of a portfolio of trademarks consisting of or containing the verbal element "IUCN", e.g. figurative European Union Trademark No. 008750151 IUCN, registered on May 10, 2010 for goods and services in classes 16, 38, 41 and 42. This trademark is in force.

The disputed domain name has been registered on April 9, 2023.

The Complainant provided uncontested evidence that it resolves to a website promoting alleged "cryptocurrency project based on the principle of sustainability". On said website, the Respondent (i) falsely purports – amongst others – to create projects "in cooperation with IUCN" and (ii) embedded a YouTube-video showing the Complainant's figurative trademark mentioned above. Finally, on a previous version of the website under the disputed domain name, the Respondent described "IUCN Coin" by referring to "IUCN [as] a membership Union composed o both government and civil society organisations".

Finally, the Complainant sent a cease-and-desist letter to the persons identified on the website at the disputed domain name to which it received a response denying any infringement and offering the Complainant 49% of the shares of the Respondent's company.

#### **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:

(1) The disputed domain name is confusingly similar to its IUCN Trademarks since the disputed domain name fully incorporates a word element "IUCN" of the Complainant's marks plus a descriptive element "coin", that is used to describe the alleged goods and services offered by the Respondent via the website, "IUCN cryptocurrency", and does not affect confusing similarity analysis and does not change overall perception of the disputed domain name as being confusingly similar to the IUCN Trademarks;

(2) The Respondent is identified as an individual from Türkiye named Mehmet Gumus and is therefore not known by the disputed domain name and is not making a legitimate noncommercial or fair use of the disputed domain name. The Respondent clearly targets the Complainant and its IUCN Trademarks and started his project to take advantage of the reputation of the Complainant and its trademarks. References to

“eco”, “green” and “sustainable innovation” indicate false connection to the Complainant and alleged approval by the Complainant of the Respondent’s activity.

(3) That the following factors establish both bad faith registration and bad faith use of the disputed domain name by the Respondent: (i) The nature of the disputed domain name, fully incorporating the element IUCN; (ii) the timing of registration many years after the registration of the IUCN Trademarks and many years after the Complainant started its activity; (iii) the content of the website under the disputed domain name; (iv) the Respondent ignoring the Complainant’s cease-and-desist letter and (v) the clear absence of rights and legitimate interests of the Respondent.

## **B. Respondent**

The Respondent did not formally reply to the Complainant’s contentions. The Respondent submitted an email on April 30, 2025, indicating that “all systems have closed” and the Complainant “can use the address”.

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that the disputed domain name be transferred or cancelled:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered or is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

### **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 Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.7.<sup>1</sup>

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Panel assessment of identity or confusing similarity involves comparing the (alpha-numeric) domain name and the textual components of the relevant mark. However, the trademark at issue does not only contain the verbal element IUCN but additionally a circular element in iridescent shades of blue. To the extent that such a figurative trademark element is incapable of representation in a domain name, the Panel disregards said element for purposes of assessing identity or confusing similarity under the first element. Such a figurative element may be taken into account in limited circumstances e.g., when the domain name comprises a spelled-out form of the relevant design element. On this basis, the trademark registration with the figurative

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<sup>1</sup> Given the similarities between the Policy and the Uniform Domain Name Dispute Resolution Policy (the “UDRP”), the Panel will refer to cases decided under both the Policy and the UDRP, and notably the [WIPO Overview 3.0](#), if relevant to this proceeding.

element does prima facie satisfy the requirement that the Complainant shows “rights in a mark” for further assessment as to confusing similarity, see [WIPO Overview 3.0](#), section 1.10.

The Panel finds the entire verbal element of this mark IUCN 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 3.0](#), section 1.7.

Although the addition of the other term - here “coin” – 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 3.0](#), section 1.8.

Based on the available record, 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 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 3.0](#), 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.

It results from the undisputed evidence before the Complainant never granted any kind of authorization to the Respondent to register and/or to use its trademark IUCN in any manner, including as a domain name. Furthermore, there is no evidence in the records that can possibly suggest that the Respondent has become commonly known by the disputed domain name.

Finally, the uncontested evidence provided by the Complainant shows that the disputed domain name resolves to a website promoting alleged “cryptocurrency project based on the principle of sustainability”. On said website, the Respondent (i) falsely purports – amongst others – to create projects “in cooperation with IUCN” and (ii) embedded a YouTube-video showing the Complainant’s figurative trademark mentioned above. Finally, on a previous version of the website under the disputed domain name, the Respondent described “IUCN Coin” by referring to “IUCN [as] a membership Union composed of both government and civil society organisations”. In the Panel’s view, such use cannot be considered a bona fide offering as set out in paragraph 4(c)(i) of the Policy and/or to constitute a legitimate noncommercial or fair use of the disputed domain name as set out in paragraph 4(c)(iii) of the Policy.

The Panel finds the second element of the Policy has been established.

### **C. Registered or 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith, [WIPO Overview 3.0](#), section 3.2.1. One of these circumstances is that the Respondent, by using the disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to its 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 its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy).

In the present case, the Panel notes that it results from the Complainant's documented allegations that the disputed domain name resolves to a website promoting alleged "cryptocurrency project based on the principle of sustainability". On said website, the Respondent (i) falsely purports – amongst others – to create projects "in cooperation with IUCN" and (ii) embedded a YouTube-video showing the Complainant's figurative trademark mentioned above. For the Panel, it is therefore evident that the Respondent positively knew the Complainant's trademark. This is confirmed by a previous version of the website under the disputed domain name, where the Respondent described "IUCN Coin" by referring to "IUCN [as] a membership Union composed of both government and civil society organisations". Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent also knew that the disputed domain name included the Complainant's trademark when it registered the disputed domain name.

In this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the findings that the Respondent has registered and is using the disputed domain name in bad faith:

(i) the nature of the disputed domain name incorporating the Complainant's trademark, which is an abbreviation of its company name plus the addition of the descriptive term "coin";

(ii) the timing, i.e. the disputed domain name being registered many decades after the Complainant started operating under the sign IUCN and many years after the Complainant's European Union trademark's registration, on which the complaint it's based, has been recorded;

(iii) a clear absence of rights or legitimate interests coupled with no formal response for the Respondent's choice of the disputed domain name nor in response to the Complaint; and

(iv) the actual confusion that already occurred on the market as it results from the evidence provided by 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 <iucncoin.io> be transferred to the Complainant.

*/Tobias Malte Müller/*

**Tobias Malte Müller**

Sole Panelist

Date: July 17, 2025