

ADMINISTRATIVE PANEL DECISION

Swagelok Company v. Shahram Sardari Charmi
Case No. DIR2025-0007

1. The Parties

The Complainant is Swagelok Company, United States of America (“United States”), represented by Protakedown Pte. Ltd d/b/a PhishFort, Singapore.

The Respondent is Shahram Sardari Charmi, Iran (Islamic Republic of).

2. The Disputed Domain Name and Registrar

The Disputed Domain Name <swagelok.ir> is registered with IRNIC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 21, 2025. On July 22, 2025, the Center transmitted by email to IRNIC a request for registrar verification in connection with the Disputed Domain Name. On August 1, 2025, IRNIC 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 (N/A) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 4, 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 amendment to the Complaint on August 6, 2025. Hard copies of the Complaint and amended Complaint were received by the Center on August 21, 2025.

The Center verified that the Complaint and the amended Complaint satisfied the formal requirements of the .ir Domain Name Dispute Resolution Policy (the “Policy” or “irDRP”), the Rules for .ir Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .ir Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 21, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was September 10, 2025. On September 11, 2025, the Center notified the Respondent’s default.

The Center appointed Marilena Comanescu as the sole panelist in this matter on September 23, 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 is a company in industrial fluid system manufacturing and support.

The Complainant owns registered trademarks for SWAGELOK, such as the following:

- the International Trademark Registration number 1365227 for SWAGELOK (stylized), registered on December 14, 2016, covering goods and services in International Classes 1, 4, 6, 7, 8, 9, 11, 17, 20, 35, 37, 39, 41 and 42;
- the United States Trademark Registration number 3487160 for SWAGELOK (word), filed on May 29, 2007 and registered on August 1, 2008, covering services in International Classes 35, 37, 39, 40, 41 and 42; and
- the European Union Trademark Registration number 002704526 for SWAGELOK (stylized), filed on May 21, 2002 and registered on August 1, 2003, covering goods in International Classes 1, 4, 6, 7, 8, 9, 11, 17 and 20.

The Complainant's corporate website is available under the domain name <swagelok.com>.

The Disputed Domain Name was registered on June 6, 2009, and, at the time of filing of the Complaint, it resolved to a commercial website, in Persian and English language, prominently displaying the Complainant's trademark and official product images, where purported SWAGELOK products were advertised and offered for sale, without any disclaimer. The information in section "Contact us" stated, under the stylized SWAGELOK mark, that "iNine Sales and Support Group Switch Lock representative in Iran with years of experience in selling Switch Lock fittings and precision instruments". Also, in the section "about the Lock Switch" there is, among other information, a purported picture of the "Swagelok founder" with the comment that he incorporated Switchlock Company back in 1947.

Before commencing this procedure, the Complainant claims that it has contacted IRNIC informing on the infringement of its trademark rights by the Disputed Domain Name. On July 10, 2025, IRNIC's forwarded the Complainant's request to the Respondent but no response was further received.

According to evidence annexed to the Complaint, Mail exchange ("MX") servers have been configured at the Disputed Domain Name.

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 the Disputed Domain Name is identical and/or confusingly similar to its trademark and domain name; that the Respondent has no rights or legitimate interests in the Disputed Domain Name; that the Respondent registered and is using the Disputed Domain Name in bad faith mainly because: the Respondent registered or acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring its registration to the Complainant as the owner of the trademark or service mark; the Disputed Domain Name has active MX and SPF records, which, in combination with the

typo squatting, might be used to perform a phishing attack against the Complainant via email distribution; the business linked as owner/operator of the the Disputed Domain Name appears to be “iNine Sales & Support Group”, the Disputed Domain Name is being used to sell purported Swagelok products using SWAGELOK trademarks and copyrighted images - however the Complainant does not recognize “iNine Sales” or “Support Group” as authorized distributor of its products.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

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

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 1.7¹.

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.

The Panel finds the entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

¹ Given the similarities between the Policy and the Uniform Domain Name Resolution Policy (“UDRP”), the Panel finds it appropriate to refer to UDRP jurisprudence, including reference to the [WIPO Overview 3.0](#).

Having reviewed the 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.

According to the evidence provided in the Complaint, the Respondent has used the Disputed Domain Name in connection with a website promoting purported SWAGELOK branded goods, reproducing the Complainant's trademarks and copyrighted marketing materials, claiming a connection between the Complainant (its founder) and the website holder, without providing any disclaimer or accurate information regarding the relationship (in fact the lack thereof) between the Disputed Domain Name or its holder and the Complainant. Furthermore, the Complainant asserts that the Respondent is not an authorized distributor or retailer of its SWAGELOK branded goods and services. Panels have held that the use of a domain name for illegitimate activity (e.g., impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Further, the composition of the Disputed Domain Name carries a high risk of implied affiliation, being identical to the Complainant's mark. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

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.

In the present case, the Panel notes that the Disputed Domain Name was registered in bad faith, with knowledge of the Complainant and its trademarks particularly because the Disputed Domain Name is identical to the Complainant's distinctive trademark which registration predates the registration of the Disputed Domain Name by 6 years. Furthermore, the use of Disputed Domain Name reinforces such finding.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] 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 [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Given that the Disputed Domain Name incorporates the Complainant's exact trademark, and the website operated under the Disputed Domain Name prominently displays the Complainant's trademark, official product images, suggests a false affiliation between the website holder and the Complainant, indeed in this Panel's view, the Respondent has intended to attract Internet users accessing the website corresponding to the Disputed Domain Name, who may be confused and believe that the website is held, controlled by, or somehow affiliated with or related to the Complainant, for the Respondent's commercial gain.

Further, the Panel holds that the Respondent's failure to provide a response in order to put forward any arguments in its favour, , constitute, in the circumstances of this case, further evidence of bad faith. [WIPO Overview 3.0](#), section 3.3.

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 <swagelok.ir> be transferred to the Complainant.

/Marilena Comanescu /

Marilena Comanescu

Sole Panelist

Date: October 2, 2025