

ADMINISTRATIVE PANEL DECISION

Whirlpool Properties, Inc. v. Farshid Kamali
Case No. DIR2026-0001

1. The Parties

The Complainant is Whirlpool Properties, Inc., United States of America, represented Saba & Co. Intellectual Property s.a.l., Lebanon.

The Respondent is Farshid Kamali, Iran (Islamic Republic of).

2. The Domain Name and Registrar

The disputed domain name <whirlpoolrepairs.ir> is registered with IRNIC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 2, 2026. On January 6, 2026, the Center transmitted by email to IRNIC a request for registrar verification in connection with the disputed domain name. On January 11, 2026, IRNIC transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. Hard copies of the Complaint were received by the Center on March 3, 2026.

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 March 2, 2026. In accordance with the Rules, paragraph 5(a), the due date for Response was March 22, 2026. Due to operational circumstances affecting the administration of .IR dispute resolution services, the Center suspended the proceeding on March 6, 2026. On July 7, 2026, the proceeding was reinstituted. On July 10, 2026, the Center notified the Respondent’s default.

The Center appointed Dr. Clive N.A. Trotman as the sole panelist in this matter on July 14, 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 Rules, paragraph 7.

4. Factual Background

The Complainant traces its history, including under earlier names, back more than 100 years to 1911, with the introduction of its first electric washing machine. Its products currently range from laundry machines including washing machines, to kitchen equipment including refrigerators, dishwashers, and cooking equipment. The Complainant is now a multinational concern with more than 70 manufacturing and technology research centers around the world. Currently the Complainant has an annual revenue in the order of USD 21 billion, markets under 14 trademarks including Whirlpool and, for example, Indesit, and employs some 92,000 people.

The Complainant holds a number of trademark registrations for WHIRLPOOL, some of which are in the language Persian. Representative English language trademarks are:

WHIRLPOOL, word mark, Iranian trademark, registered June 11, 1974, registration number 40447, in classes 7 and 11;

WHIRLPOOL, device comprising the word “Whirlpool” with the central part encircled, Iranian trademark, registered June 7, 2017, registration number 273859, in classes 7, 9, 11, and 37.

The Respondent has not provided any background information but gives an address in Iran (Islamic Republic of). The Registrar states that the disputed domain name was created on February 21, 2015, and was registered in the name of the Respondent on February 22, 2025.

The disputed domain name has resolved to a website (the “Respondent’s website”) essentially written in Persian but in which minor parts including the trademark WHIRLPOOL appear in English. The Respondent’s website is promoting WHIRLPOOL refrigerator repair services in Tehran.

The Complainant sent a Cease and Desist letter written in Persian to the Respondent on December 20, 2025. There has been no reply.

5. Parties’ Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant is the owner of registered trademarks internationally including in Iran (Islamic Republic of) for WHIRLPOOL. The disputed domain name comprises the entirety of the Complainant’s trademark, followed immediately by the suffix “repairs”, which should not be found to detract from confusing similarity between the disputed domain name and the Complainant’s trademark.

The Complainant says that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorised by the Complainant to use the Complainant’s trademark in any way. The Complainant has not authorised the Respondent to be a service provider for the Complainant’s products and has no business relationship with the Respondent.

The Complainant states that the Respondent has not been commonly known by the disputed domain name, and is not making a legitimate non-commercial or fair use of the disputed domain name without intent to divert consumers misleadingly or to tarnish the trademark at issue for commercial gain.

The Complainant contends that the disputed domain name was registered or is being used by the Respondent in bad faith.

The Complainant says the Respondent must have been aware previously of the Complainant's trademark, which is registered in Iran (Islamic Republic of), and has used the Complainant's trademark in order to increase traffic to the Respondent's website for commercial gain. The Respondent's website offers services that the Complainant already provides and visitors to the Respondent's website would likely be misled into thinking the website to be associated with the Complainant.

A Cease and Desist letter was sent to the Respondent on December 20, 2025, but there was no reply.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Panel is satisfied by the documentation produced in evidence that the Complainant is the holder of the trademarks itemised in section 4 above.

The disputed domain name contains the entirety of the Complainant's trademark WHIRLPOOL and is to that extent found to be confusingly similar to the trademark for the purposes of the irDRP. The Complainant's trademark within the disputed domain name is followed immediately by the word "repairs", which the Panel finds does not prevent a finding of confusing similarity to the Complainant's trademark.

The Panel finds for the Complainant in the terms of paragraph 4(a)(i) of the irDRP.

B. Rights or Legitimate Interests

The Complainant has stated that it has never had any business dealings with the Respondent and that the Respondent does not have any rights or legitimate interests in the disputed domain name. In particular, the use to which the Respondent has put the disputed domain name cannot be a *bone fide* offering of goods or services, or a fair or legitimate noncommercial use, since it leads to a website that displays the Complainant's trademark without authority and purports to offer refrigerator repair services that are within the Complainant's ambit of business. The website has no disclaimer of association (or lack thereof) with the Complainant. On the contrary, the website claims to be an authorized agency for the Complainant. There is no evidence the Respondent has been commonly known by the disputed domain name.

The Panel finds that the Complainant has established a prima facie case to the effect that the Respondent lacks rights or legitimate interests in the disputed domain name. Provision is made under the irDRP for the possibility that the Respondent may possess information unavailable to the Complainant. Under paragraph 4(c) of the irDRP the Respondent may demonstrate rights or legitimate interests in a disputed domain name by means of the criteria listed therein or otherwise to the satisfaction of the Panel. The Respondent has made no such submission.

The Panel finds for the Complainant under paragraph 4(a)(ii) of the Policy

C. Registered or Used in Bad Faith

Paragraph 4(b) of the irDRP states as follows:

“Evidence of Registration and Use in Bad Faith. For the purposes of Paragraph 4(a)(iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

(...)

iv. by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location”.

The disputed domain name has resolved to the Respondent's website, which the Panel has examined. The Respondent's website, running to several screen pages, is written essentially in Persian, however the Panel has used machine translation to understand the webpage. The website purports to offer repair services for the Complainant's WHIRLPOOL refrigerators and claims to be an authorized agency of the Complainant.

The totality of the objects appearing on the Respondent's website including particularly the reproductions of the Complainant's device trademark, pictures of “Whirlpool” branded refrigerators and men wearing “Whirlpool” uniform insignia, lead the Panel to conclude that the Respondent must have been aware of and has intentionally targeted the Complainant, its trademark and its business when composing the website.

In the terms of paragraph 4(b)(iv) of the irDRP, the Respondent is found to be using the disputed domain name in order to attract Internet users to the Respondent's website, by intentional confusion with the Complainant's trademark, and by presenting the website with the appearance of being at least endorsed by the Complainant, for the purpose of commercial gain. On the evidence and on the balance of probabilities, the Respondent is found to have used the disputed domain name in bad faith in the terms of paragraphs 4(b)(iv) and 4(a)(iii) of the irDRP.

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 <whirlpoolrepairs.ir> be transferred to the Complainant.

/Dr. Clive N.A. Trotman /

Dr. Clive N.A. Trotman

Sole Panelist

Date: July 21, 2026