

ADMINISTRATIVE PANEL DECISION

Baxi Heating UK Limited v. Conroy Low
Case No. DME2025-0028

1. The Parties

The Complainant is Baxi Heating UK Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is Conroy Low, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <baxi.me> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 13, 2025. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 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 (REDACTED, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 20, 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 October 22, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform 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 October 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 21, 2025.

The Center appointed Andrea Mondini as the sole panelist in this matter on November 26, 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 was originally founded in 1866, is headquartered in the United Kingdom and operates in the heating and hot water industry. It has over 1,200 employees, operations in the United Kingdom, Italy, and Spain, and a network of over 50 dealers and distributors throughout the world.

The Complainant owns numerous trademark registrations in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
BAXI	United Kingdom	UK00000622984	April 12, 1943	11
BAXI	European Union	000775684	May 6, 1999	11
BAXI	Montenegro	Z5633	February 25, 2003	11

The Complainant holds several domain names containing the mark BAXI, among them <baxi.com> and <baxi.co.uk> which host its main websites.

Because the Respondent did not file a Response, not much is known about the Respondent. The email provided by the Registrar includes “boothselectric” as a handle.

The disputed domain name was registered on July 16, 2025.

According to the evidence submitted with the Complaint, the disputed domain name resolves to an error page.

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 as follows:

The trademark BAXI has been extensively used to identify the Complainant and its products and services. The disputed domain name is identical to the BAXI trademark in which the Complainant has rights, because it incorporates this trademark in its entirety.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services.

The disputed domain name was registered in bad faith because, considering the Complainant's extensive use of the BAXI trademark for decades and that all top results performing a Google search of the term “Baxi”

pertain to the Complainant's brand and services, the simplest degree of due diligence would have made the Respondent aware of both the Complainant and its well known trademark BAXI at the time it registered the disputed domain name.

The Respondent is using the disputed domain name in bad faith, by passively holding it. Moreover, the Complainant's representatives sent a cease and desist letter and notices to the Respondent on July 25 and August 1, 2025, but the Respondent failed to respond. Furthermore, the fact that the Respondent activated mail exchange (MX) records for the disputed domain name indicates that the Respondent had the capability to impersonate the Complainant and engage in phishing activities.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the complainant has rights;
- (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 and 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 1.7.

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 identically reproduced within the disputed domain name.

The addition of the country code Top-Level Domain ".me" in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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 for a complainant to prove that 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, and has not responded to the Complainant's warning letters.

Furthermore, the composition of the disputed domain name itself suggests a possible connection between the Complainant and the Respondent which in fact does not exist. [WIPO Overview 3.0](#), section 2.5.1

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and 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. [WIPO Overview 3.0](#), section 3.2.1.

In the view of the Panel, noting that the Complainant's trademark predates the registration of the disputed domain name by decades and considering that the Complainant's trademark has been extensively used on an international scale and that all top results performing a Google search of the term "Baxi" pertain to the Complainant's brand and services, it is clear that the Respondent was or should have been aware of the Complainant's well known trademark. The Panel also notes that the email provided by the Registrar includes "boothselectric" as a handle demonstrating possible awareness on the Respondent's part of the Complainant's heating goods and services (heating and electric being adjacent related industries). In the circumstances of this case, this is evidence of registration in bad faith.

The Disputed Domain Name currently resolves to an error site. Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the composition of the disputed domain name, (iii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iv) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement). [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes (i) the distinctiveness and longstanding reputation of the Complainant's trademark, (ii) the fact that the disputed domain name is identical to the Complainant's mark, (iii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iv) the Respondent's concealing of its identity, and (v) the Respondent's failure to respond to the Complainant's warning letters.

Furthermore, the fact that the disputed domain name is identical to the Complainant's trademark and that the Respondent set up mail exchange (MX) records for the disputed domain name indicates the risk that, if the disputed domain name were not transferred to the Complainant, the Respondent may impersonate the Complainant and perpetrate phishing schemes.

Therefore, the Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <baxi.me> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: December 10, 2025