

ADMINISTRATIVE PANEL DECISION

Diaverum AB v. Mr King, I am King
Case No. DNU2025-0001

1. The Parties

The Complainant is Diaverum AB, Sweden, represented by Brimondo AB, Sweden.

The Respondent is Mr King, I am King, Sweden.

2. The Domain Name and Registrar

The disputed domain name <diaverum.nu> is registered with Simply.com A/S (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 14, 2025. On August 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 8, 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 (Information concealed) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 10, 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 amended Complaints on September 15 and 16, 2025.

On September 10, 2025, the Center informed the parties in Swedish and English, that the language of the registration agreement for the disputed domain name is Swedish. On September 16, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amended Complaints 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 September 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2025. The Respondent did not submit any formal response but sent an email communication to the Center on September 16, 2025. Accordingly, the Center notified the Parties about the Commencement of Panel Appointment Process on October 8, 2025.

On September 26, 2025, the Complainant submitted a Supplemental Filing forwarding an email communication from the Respondent, sent to the Complainant on September 20, 2025.

The Center appointed Petter Rindforth as the sole panelist in this matter on October 20, 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 Swedish multinational renal care provider, founded in 1991 as Gambro Healthcare International and rebranded to Diaverum in 2007.

The Complainant is the owner of the trademark DIAVERUM, registered in many countries around the world, including:

European Union trademark No. 006339063 DIAVERUM (word), registered on September 10, 2008, for services in Int. Class 44;

European Union trademark No. 018026939 DIAVERUM (word), registered on June 15, 2019, for services in Int. Classes 35, 41, 42, and 44; and

European Union trademark No. 014555056 DIAVERUM (fig.), registered on January 11, 2016, for services in Int. Classes 35, 41, 42, and 44.

The Complainant is also the holder of a number of domain names including the trademark DIAVERUM; such as <diaverum.se>, <diaverum.com>, <diaverum.us>, and <diaverum.es>.

The disputed domain name <diaverum.nu> was registered on July 17, 2025.

There is no information about the Respondent, except for evidence of use provided by the Complainant. The Respondent has used <diaverum.nu> to send fraudulent emails, identifying itself as the Complainant's CEO and trying to rent cars in the name of the Complainant.

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 to the Complainant's registered trademark. The added country code Top-Level Domain ("ccTLD") ".nu" has no effect on that, and it is also noted that although ".nu" is the ccTLD for Niue, it is very popular on the Swedish market, because of the fact that the letters "nu" means "now" in Swedish.

The Respondent has no rights or legitimate interest in the disputed domain name. The Respondent registered and has used the disputed domain name in bad faith, sending fraudulent emails where the Respondent identified itself as the Complainant. The Complainant has taken actions by requesting the Registrar of the disputed domain name to shut down the disputed domain name, and has also filed a complaint before the Swedish authorities.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions but sent an email communication to the Center on September 16, 2025, indicating "Jag förstår inte? Det är min domän?".

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is English. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including the fact that the Respondent on September 20, 2025, sent the Complainant an email in English, in which it offered to sell the disputed domain name to the Complainant for USD 2000.

The Respondent did not make any specific submissions with respect to the language of the proceedings.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

Complainant's Supplemental Filing

The Panel notes that in its unsolicited Supplemental Filing, the Complainant provided a copy of the email it received from the Respondent on September 20, 2025, in which the Respondent offered to sell the disputed domain name to the Complainant for USD 2000.

Noting that this email was sent to the Complainant only after filing of the Complaint and it further shows the Respondent's bad faith, the Panel has decided to admit the Complainant's Supplemental Filing.

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 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 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 mark is recognizable 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.

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.

The Complainant’s trademark is distinctive and has no secondary meaning for the Swedish public.

Panels have held that the use of a domain name for illegal activity, here, the claimed impersonation/passing off as the CEO of the Complainant, trying to rent cars can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the Respondent has used the disputed domain name to identify itself as the CEO of the Complainant, trying to hire cars in the name of the Complainant.

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. The Panel notes that the fraudulent emails, in at least one of the examples provided by the Complainant, the Respondent is also using the Complainant’s figurative version of the trademark DIAVERUM, in an obviously further attempt to scam people out of money by identifying itself as the Complainant.

Panels have held that the use of a domain name for illegal activity here, claimed as impersonation/passing off as the CEO of the Complainant, trying to hire cars in the name of the Complainant, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <diaverum.nu> be transferred to the Complainant.

/Petter Rindforth/

Petter Rindforth

Sole Panelist

Date: November 3, 2025