ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
GUANGDONG DEERMA TECHNOLOGY CO., LTD. v. EVOPEC SRL
Case No. DRO2026-0008

1. The Parties

The Complainant is GUANGDONG DEERMA TECHNOLOGY CO., LTD., China, represented by Advance Law Firm (广东华进律师事务所), China.

The Respondent is EVOPEC SRL, Romania.

2. The Domain Name and Registrar

The disputed domain name <deerma.ro> is registered via ROTLD (the "Registry").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 30, 2026. On April 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 2, 2026, the Registrar transmitted by email to the Center its verification response confirming the registrant and contact information for the disputed domain name in the Complaint. The Center sent an email communication to the Complainant on April 9, 2026, inviting the Complainant to submit an amendment to the Complaint. The Complainant submitted an amendment to the Complaint on April 14, 2026, concerning the language of the proceedings.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the .RO Domain Name Dispute Resolution Policy (the "Policy"), the Rules for .RO Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .RO 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 20, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was May 10, 2026, which was extended until May 14, 2026. The Respondent submitted a Response on May 11, 2026, and sent email communications to the Center on April 6, 14 and 21, 2026.

The Center appointed Mihaela Maravela as the sole panelist in this matter on May 29, 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

According to information in the Complaint, the Complainant is a Chinese legal entity founded in July 2011. It focuses on the research, production and sales of innovative small household appliances such as vacuum cleaners and personal care products. In May 2023, the Complainant successfully listed on the Shenzhen Stock Exchange ChiNext. The Complainant's products are available globally, including in the United States of America, United Kingdom, European countries, Asia pacific countries and South American countries, via online & offline means. In 2015, the Complainant's brand DEERMA was rated as one of the top 100 Chinese online product brands by Alibaba Research Institute. Romania is one of the markets for the Complainant's products, where the Complainant is selling DEERMA branded products through online channels and local distributors since 2021.

The Complainant owns numerous trademark registrations for DEERMA, including the following:

- the European Union Trademark No. 016077646 for DEERMA (figurative), registered on March 8, 2017, in international Classes 7, 11 and 21 of goods; and
- the International Trademark No. 1448382 for DEERMA (figurative), registered on November 21, 2018, in international classes 7, 11 and 21 of goods.

The Complainant owns the domain name <deerma.com>, registered on March 12, 2007, which it uses for its official website.

The disputed domain name was registered on January 2, 2022, and it was used by the Respondent, a Romanian company, to resolve to an online shop claiming to be the official importer of the Complainant's products in Romania and offering for sale the Complainant's branded goods, displaying the DEERMA trademark and product images from the Complainant's official website. The disputed domain name currently resolves to a maintenance mode website.

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 DEERMA is a coined English word firstly used by the Complainant, that the disputed domain name is identical to its DEERMA trademark, and that the suffix ".ro" does not act as distinguishing element. The disputed domain name is also identical to the Complainant's domain name <deerma.com>.

As regards the second element of the Policy, the Complainant argues that the Respondent has no trademark or service mark right in "deerma". Moreover, the Complainant contends that the Respondent is neither a licensee of the Complainant, nor has it ever been authorized by the Complainant to use the trademark DEERMA or register it as a domain name. Further, the Complainant submits that the Respondent uses the disputed domain name to establish a website to promote household appliance products bearing the Complainant's DEERMA trademarks without authorization from the Complainant. In addition, the Respondent claimed on the website at the disputed domain name that it is "the official importer of Deerma products in Romania", which does not accurately reveal the real relationship between the Respondent and the Complainant. Therefore, the Respondent cannot sustain a plea of legitimate rights and interests over the disputed domain name on the ground of bona fide, as it does not observe the Oki Data test, namely the criteria requiring the Respondent to accurately disclose its relationship with the trademark owner.

With respect to the third element of the Policy, the Complainant contends that it is evident from the Respondent's use of the disputed domain name that the Respondent knew of the Complainant's DEERMA trademarks when registering the disputed domain name, given also the Complainant's extensive promotion and use of its trademark and the fact that the Complainant's DEERMA branded products acquired high reputation in the household appliance industry globally. As regards the use, the Complainant submits that the Complainant's trademark and product pictures are used on the website of the disputed domain name without the authorization from the Complainant and that these acts will easily mislead Internet users believing that the products on the website are genuinely from the Complainant. Furthermore, the Complainant contends that without the Complainant's authorization and without showing the actual relationship between them and the Complainant, the Respondent directly uses the Complainant's DEERMA trademarks, promotes and sells household appliance products bearing DEERMA trademarks, thereby attempting to deceive Internet users, especially those from Romania, and to make them mistakenly believe that the website of the disputed domain name is authorized by or related to the Complainant to some extent.

In addition, the Complainant argues that the Respondent has engaged in a pattern of bad-faith conduct since it has registered two other domain names corresponding to other Chinese brands ("Anycubic" and "Artillery") and used them to resolve to websites where the Respondent also claimed that it is "the official importer of AnyCubic/3D Artillery products in Romania", using the same contact phone number as that displayed on the website at the disputed domain name.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

As regards the first element, the Respondent concedes that for standing purposes the disputed domain name is textually identical to the verbal element of the Complainant's DEERMA mark and that the country-code Top-Level Domain ("ccTLD") ".ro" is disregarded for comparison.

With respect to the second element of the Policy, the Respondent argues that it has rights and legitimate interests in the disputed domain name as a bona fide reseller of genuine, lawfully sourced DEERMA branded products imported into Romania through a regular EU distribution channel.

As such, the Respondent submits that when it registered the disputed domain name, no DEERMA branded product was being officially distributed in Romania by the Complainant or any authorized agent, but multiple independent Romanian retailers were already importing and reselling DEERMA products through ordinary EU distribution channels. The Respondent registered the disputed domain name to support its planned reselling activity.

As regards the use, the Respondent claims that it had used the disputed domain name since at least 2024 exclusively as an online showcase for genuine, EU-sourced DEERMA branded products, that were purchased by the Respondent from an EU distributor, namely a Polish company that publicly markets itself as an authorized EU distributor of DEERMA branded products (said Polish company announced to the Respondent in April 2026 that the DEERMA products have been removed from its catalogue for reasons unrelated to the Respondent). The Respondent claims that the website at the disputed domain name was limited to genuine DEERMA products, with the Respondent having genuine DEERMA products in physical stock, and no competing brand was advertised. Furthermore, the website clearly identified the operating entity, with all details from the Trade Registry, making it unambiguous that the operator is a Romanian limited liability company, not the Chinese trademark holder. The Respondent acknowledges "in the spirit of candour, that the website for a period contained the Romanian-language phrase 'Triticom este importator oficial al produselor Deerma in Romania' without written authorisation from the Complainant", Triticom being an affiliate of the Respondent. However, the Respondent submits that the mentioned phrase, which translated into English means "Triricom is an official importer of the Deerma products in Romania" constitutes an inaccurate marketing overstatement by a small, family-owned Romanian small-medium company unfamiliar with the niceties of trademark law, not a deliberate attempt to deceive.

As regards the third element, the Respondent claims that it is one of the many resellers of DEERMA products in Romania, that there is no evidence of any actual consumer confusion, and that upon receipt of the Complaint, the Respondent placed the website at the disputed domain name in maintenance mode as a unilateral good-faith measure.

Furthermore, the Respondent argues that it was the Complainant (through its Romanian distributor) that approached the Respondent in November 2025 in an unsuccessful attempt to purchase the disputed domain name, and only resorted to these proceedings as a “Plan B” after refusing to compensate the Respondent for documented investments and after deliberately ignoring the Respondent's repeated good-faith settlement proposals. In this respect, the Respondent claims it expressed willingness to transfer the disputed domain name in exchange for fair compensation reflecting documented out-of-pocket costs, namely an amount of EUR 5,000 reflecting, in the Respondent’s view, documented costs consisting of registration fees, hosting, SEO, website development, and inventory. According to the Respondent, the Complainant’s distributor made a counteroffer for EUR 1,000 and sent a letter of authorization from the Complainant that was never pursued thereafter.

With respect to the Complainant’s argument on the pattern of conduct, the Respondent claims that the other two domain names held by the Respondent (<anycubic.ro> and <artillery3d.ro>), follow the same legitimate multi-brand reselling model used for the disputed domain name.

6. Discussion and Findings

6.1. Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Romanian. The Complaint was filed in English.

The Complainant requested that the language of the proceeding be English for several reasons, including the fact that (i) the Complainant is a Chinese entity, the Respondent is a Romanian entity and English language is the de facto neutral and most widely used language for international commercial and intellectual property disputes, including WIPO domain name proceedings; (ii) using English language ensures procedural fairness and equal treatment for both parties; (iii) requiring the Complainant to translate all Complaint materials, evidence, and submissions into Romanian language would impose significant additional costs and cause undue procedural delays; (iv) the disputed domain name uses English letters; and (v) the email communications sent by the Respondent to the Center indicate that the Respondent is capable and fluent in English.

In its communication dated April 14, 2026, the Respondent requested that the language of the administrative proceeding be Romanian, for reasons including the fact that (i) the Respondent is a Romanian legal entity, with its registered office in Romania, conducting its business exclusively in Romania and in the Romanian language; (ii) all of the Respondent's commercial documents, contracts, invoices, accounting records, and internal correspondence are maintained in Romanian; (ii) while the Respondent has a basic working knowledge of English sufficient for informal commercial correspondence, this does not equate to the level of proficiency required to adequately prepare and present a formal legal defense in a complex intellectual property proceeding; (iii) the Complainant's reliance on the Respondent's prior informal email communications in English as evidence of English fluency is misplaced, as the ability to draft brief commercial emails does not demonstrate the capacity to engage in legal argumentation, analyze case law, or formulate procedural submissions in a foreign language to the standard required by these proceedings; and (iv) conducting the proceeding in Romanian would not prejudice the Complainant, which is represented by a professional international law firm with the resources and capacity to handle proceedings in multiple languages.

Despite objecting to English being the language of the proceedings, the Respondent has submitted several emails to the Center in English language and no correspondence in Romanian language. Furthermore, the Respondent has filed its Response in English language arguing this was done "in the spirit of cooperation and procedural economy […] pending the Panel's determination on language".

In exercising its discretion to use a language other than that of the Registration Agreement, as allowed by paragraph 11(a) of the Rules, 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 Select UDRP Questions ("WIPO Overview 3.1"), section 4.5.1.[1] Paragraph 10(b) and (c) of the Rules require the Panel to ensure that the Parties are treated with equality, that each Party is given a fair opportunity to present its case and that the administrative proceeding takes place with due expedition.

Having considered all the circumstances above, the Panel determines under paragraph 11(a) of the Rules that the language of this proceeding is English, but that the Panel will accept all submissions and evidence as filed both in English and in Romanian language, without translation, as the Panel is familiar with both English and Romanian. The Panel takes into account inter alia the fact that both parties submitted their Complaint and Response in English language. Even though the Respondent claimed not to have the level of proficiency required to adequately prepare and present a formal legal defense, it had submitted a seven page substantive Response, with detailed factual aspects and legal arguments, including references to the relevant provisions of the Policy, of the WIPO Overview in its 3.0 version, and references to UDRP case law, for example to "[t]he seminal decision in *Oki Data Americas, Inc. v. ASD, Inc*., WIPO Case No. D2001-0903". Furthermore, the Panel notes that even if the Respondent claimed that "all of the Respondent's commercial documents, contracts, invoices, accounting records, and internal correspondence are maintained in Romanian", the Respondent has submitted as evidence excerpts of its internal commercial records and communication with the Complainant in English language, for example Annex 1 (Summary of Innpro Invoices), or Annex 7 (email correspondence in English language sent by the Respondent to the Complainant on April 6 and 10, 2026).

6.2. Substantive matters

Before analyzing the merits, the Panel needs to address the apparent consent for transfer by the Respondent. In an email communication dated April 21, 2026, the Respondent requested that the Center suspend the administrative proceedings in order to allow the Parties to explore the possibility of reaching an amicable resolution. The Respondent argued that it at no point opposed the transfer of the disputed domain name to the Complainant, but it only requests reasonable compensation for the verifiable investments made in the development and promotion of the website at the disputed domain name over the past four years. The Respondent further informed the Center that it approached the Complainant twice after the Complaint was filed proposing a voluntary transfer of the disputed domain name in exchange for a fair reimbursement of the documented investments associated with the disputed domain name and website.

The Complainant did not agree to the suspension of the proceedings, arguing that it does not wish to explore settlement options, and that the Respondent was obviously in the knowledge of the Complainant's registered trademarks DEERMA but still registered and used the disputed domain name for the purpose of disrupting the normal business of the Complainant and attract, for their own commercial gain, Internet users to the website at the disputed domain name, by creating a likelihood of confusion with the Complainant's trademarks.

Given the Parties' position as described above, the Panel will proceed with a decision on the merits. The Panel also considered (i) on the one hand, the fact that the Respondent conditioned the transfer of the disputed domain name to the Complainant on the payment of a "reasonable compensation of the verifiable investments made in the development and promotion of the website at the disputed domain name over the

[1] Given the similarities between the Policy and the Uniform Domain Name Dispute Resolution Policy (UDRP), the Panel will also take into account the WIPO Overview 3.1 and the UDRP decisions.

past four years", which was claimed in pre-Complaint talks to amount in the range of EUR 5,000, and in the Panel's view this does not amount to or constitute an unequivocal unilateral consent to transfer the disputed domain name, and thus does not stand in the way of a reasoned adjudication of the matter, and (ii) on the other hand, the fact that the Complainant did not agree to request for the suspension of the proceedings, implicitly expressing a preference for a recorded decision.

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (a) your domain name is identical or confusingly similar to a (i) trademark or service mark or (ii) with a geographical indication protected in Romania or by European Union law in which the complainant has rights; and (b) you have no rights or legitimate interests in respect of the domain name; and (c) your domain name has been registered or is being used in bad faith.

The applicable standard of proof is the "balance of probabilities" or "preponderance of the evidence", and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. WIPO Overview 3.1, section 4.2.

A. Identical or Confusingly Similar

Under paragraph 4(a)(i) of the Policy, the Complainant must prove that it has rights in a trademark or in a geographical indication protected in Romania or by European Union law, and that the disputed domain name is identical or confusingly similar to that trademark or geographical indication protected in Romania or by European Union law. This first element under the Policy 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 3.1, section 1.7.

The Complainant has shown rights in respect of the trademark DEERMA for the purposes of the Policy. WIPO Overview 3.1, 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 3.1, section 1.7.

It is the settled view of panels applying the Policy that the Top-Level Domain ("TLD") (here ".ro") should be disregarded under the first element test.

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 .RO proceedings is on the complainant, panels have recognized that proving 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 3.1, section 2.1.

The Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, based on its submissions that its DEERMA trademark is widely used in commerce, that the Parties are not related and that the Respondent is neither a licensee of

the Complainant, nor has ever been authorized by the Complainant to use the trademark DEERMA or register it as domain name. In these circumstances, the burden of production shifts to the Respondent to prove rights or legitimate interests in the disputed domain name.

The Respondent does not claim to be making a non-commercial bona fide use of, or be commonly known by the disputed domain name, or own any trademark rights in the name DEERMA. Instead, the Respondent is claiming that it is making a bona fide commercial use of the disputed domain name as a reseller of branded goods.

In this respect, the Respondent refers both to the Oki Data test and to the doctrine of exhaustion of trademark rights. The Panel will address these in turn.

First, the Respondent claims that the products it had offered on the website at the disputed domain name were sourced within the EEA through a purchase from a Polish importer, and that under the doctrine of exhaustion of trademark rights — codified in Article 15 of Regulation (EU) 2017/1001 and Article 15 of Directive (EU) 2015/2436 — the trademark owner cannot prohibit further commercialization within the EEA of products put on the EEA market by the proprietor or with its consent. Therefore, the Respondent claims it had a substantive legal right under EU law to resell those products in Romania, including by referential use of the DEERMA mark.

The Panel considers that proceedings under the Policy must be determined under the terms of the Policy and not necessarily under the trademark laws of any national jurisdiction. The potential legality of the Respondent's conduct under those national laws is not material to the Panel's finding under the Policy, as such legality would not automatically translate into rights or legitimate interests in a domain name under the Policy. Under the Policy, a respondent's use of a disputed domain name will not be considered "fair" if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant's trademark is often central to this inquiry. In this regard, panels have generally found that a domain name identical to a complainant's trademark carries a high risk of implied affiliation. WIPO Overview 3.1, section 2.5.1.

Second, the Respondent invokes the "Oki Data test", according to which the Respondent claims to have been making a bona fide offering of goods within the meaning of paragraph 4(c)(i) of the Policy. The Panel notes that cases applying the Oki Data test generally involve domain names comprising a trademark plus a descriptive term (such as "repair", "parts", etc.), while the risk of misrepresentation has led panels to find that a respondent lacks rights or legitimate interests in cases involving a domain name identical to the complainant's trademark. Even if the Oki Data test was applied, the Panel notes that at least one of its requirements is not met. As such, the disputed domain name directed Internet users to an active website prominently using the Complainant's trademark DEERMA, and purportedly offering goods of the Complainant, without any disclaimer regarding the lack of its relationship with the Complainant. On the contrary, the Respondent claimed on the bottom of the website at the disputed domain name to be an official importer of the Complainant's goods in Romania. The Respondent acknowledges that "the term 'importator oficial' was an inaccurate marketing description, as no written authorization existed" (Annex 2 to the Respondent's Response), but it adds that "the text also clearly identifies Triticom as the operating entity and states that Triticom guarantees authentic, original products with warranty and specialized technical support". For completeness, the Panel notes that according to the Respondent, the company identified on the website at the disputed domain name as the official importer of the Complainant, Triticom, is its affiliate and both companies are part of the same group of companies. The Respondent expressly indicates that "[..] panels routinely treat affiliated or commonly controlled entities as a single unit for purposes of assessing rights, legitimate interests, and good faith. The two companies will hereinafter be referred to collectively as "the Respondent" save where context requires distinction".

In the Panel's view, the Respondent's use of the disputed domain name in the above circumstances is not in connection with a bona fide offering of goods or services as contemplated by the first circumstance of paragraph 4(c) of the Policy and fails the applicable safeguards found in "Oki Data", because the Respondent falsely claimed to be an official importer of the Complainant's goods, knowing that such

statement is not accurate[2]. WIPO Overview 3.1, section 2.8. The Respondent reckons in its Response that this requirement of the website accurately disclosing the relationship with the trademark owner or the lack thereof is "partially engaged", but claims that upon notification, it "immediately placed the site in maintenance mode" and that this was a "single imperfect descriptor" that should not be accounted for in the "broader matrix of genuine commercial activity, transparent operator identification, lawful EU sourcing, and immediate remedial action". The Respondent also claims that the mentioned statement of being an official importer was just an "inaccurate marketing overstatement by a small, family-owned Romanian SME unfamiliar with the niceties of trademark law".

The Panel does not find these arguments compelling. The Respondent is responsible for the content of the website and cannot dispel responsibility by invoking lack of knowledge of intellectual property laws, or by invoking that it suspended the website. Furthermore, the placing of the website at the disputed domain name in maintenance mode after the receipt of the Complaint rather points to an admission of liability in the circumstances of this case, rather than a sign of good faith as the Respondent claims. This finding is reinforced by the contradictory statements of the Respondent in this regard. As such, the Respondent claims that upon notification of the Complaint, the Respondent immediately placed the website at the disputed domain name in maintenance mode as a unilateral good faith gesture. The Respondent also condemns the Complainant of bad faith for refusing settlement and failing to consider the good faith change in the website use. However, at the same time, the Respondent has filed with the Response a correspondence it sent on April 29, 2026, which is after the date of the notification of the Complaint, to the Polish company from which it purchased the goods offered for sale at the disputed domain name inquiring about why the DEERMA products are no longer included in its catalogues, as this "directly impacts our business operations and our ability to serve our customers in Romania" (Annex 8 to the Response). The Respondent also added that "we are asking because we would like to plan our inventory accordingly and ensure continuity of supply to our customers". The Panel finds this evidence telling. It is in stark contrast with the statements of the Respondent that it remediated the incorrect statements on the website at the disputed domain name of being an official importer of the Complainant by placing the website in maintenance mode, and also with the settlement proposal sent to the Complainant with the emails of April 6 and 10, 2026, where the Respondent claimed to be prepared to voluntarily transfer the disputed domain name to the Complainant in exchange of reasonable compensation for the documented expenses associated with the disputed domain name and the website.

In addition, according to the unrebutted evidence in the Complaint, the website to which the disputed domain named resolved used official product images of the Complainant and therefore reinforced the false impression that the website is affiliated to or endorsed by the Complainant.

The Panel therefore finds that 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 of otherwise.

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 or use of a domain name in bad faith. In contrast to UDRP, it is necessary for the Complainant to establish only one or the other.

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 3.1, section 3.2.1.

[2] *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903.

Generally speaking, a finding that a domain name has been registered or is being used in bad faith requires an inference to be drawn that the respondent in question has registered or is using the disputed domain name to take advantage of its significance as a trademark owned by the complainant. The Panel considers that this is the case here. The disputed domain name is identical to the Complainant's trademark and carries a high risk of implied affiliation with the Complainant. It has been used to sell the Complainant's goods using language expressly and inaccurately claiming that the provider of the website is an official importer of the Complainant, knowing it not to be a true statement. Furthermore, the Respondent did not deny his knowledge of the Complainant and its trademark at the date of registering the disputed domain name.

In view of the above, the Panel finds that Internet users would likely have been confused as to the source of the products or services offered on such website. Therefore, the Panel considers that paragraph 4(b)(iv) of the Policy has direct bearing to the present case: "(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to his website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the said website location or of a product or service on that website location."

Moreover, the Complainant has shown that the Respondent is the owner of at least two other domain names that appear to incorporate third parties' trademarks. The Respondent has not denied such ownership, rather it claimed in its Response that "those domains follow the same legitimate multi-brand reselling model". The Panel notes that the mentioned domain name appear in "mentenance" (maintenance) mode at the date of this Decision,[3] similar with the status of the disputed domain name. Hence, it appears to the Panel that the Respondent has shown a pattern of conduct of speculative domain name registration. In this Panel's view, whether the domain names incorporate third party marks precisely, or instead some confusingly similar versions thereof, matters not for the purposes of deciding whether there is a pattern of conduct on the Respondent's part.

The Panel finds that the Complainant has established the third element of the Policy.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. WIPO Overview 3.1, section 4.16.

The Respondent asked the Panel to evaluate if a finding under paragraph 15(e) is warranted, arguing that the Complainant filed the Complaint as a Plan B after failed acquisition, refused the good-faith settlement offered by the Respondent, refused to suspend the case, omitted the approach of the Respondent by the Complainant's official importer prior to the dispute, and is using a sophisticated IP firm against the Respondent.

Given that the Complainant prevailed on the merits, the Panel declines to make a finding of Reverse Domain Name Hijacking. For completeness, the Panel notes that according to the record, the Respondent was approached in November 2025 by the Complainant's official importer (or shortly to be appointed official importer in Romania) in an attempt to obtain the disputed domain name outside litigation. Said importer asked whether the Respondent would have a price in mind and the Respondent said it would agree to transfer the domain name to the Complainant in exchange for a fair compensation. In the Response, the Respondent further explains that "throughout the negotiation, the Respondent expressed willingness to transfer in exchange for fair compensation reflecting documented out-of-pocket costs. The asking figure of EUR 5,000 reflected documented costs — registration fees, hosting, SEO, website development, and

[3] As part of a panel's general powers articulated in paragraphs 10 and 12 of the Rules, the Panel has undertaken limited factual research into matters of public record, namely to verify the content at the websites mentioned by both parties in their pleadings at the domain names <anycubic.ro> and <artillery3d.ro>.

inventory — precisely the kind of costs which paragraph 4(b)(i) of the Policy expressly excludes from the bad-faith calculus." Further, according to the Respondent's explanations in Annex 5 to the Response, the Complainant explicitly refused to pay any compensation, and then the Complainant's importer offered EUR 1,000 from their own pocket, while the Respondent denied saying that it would not transfer the disputed domain name below the initial figure of EUR 5,000. Even if would have been preferable for the Complainant to disclose these discussions taking place before the Complaint, this account of facts, considering also all the other circumstances of the case, do not point to a classic "plan B" case i.e., a complainant using the Policy after failing in the marketplace to acquire the disputed domain name, mainly consisting of descriptive terms and without giving any hint that the complainant possessed a legal claim to the disputed domain name. This is rather a case of a non-authorized reseller registering an identical domain name with the Complainant's coined trademark to profit from the confusion and asking for more than the documented out-of-pocket costs covering the registration of the disputed domain name, such as the costs for hosting, SEO, website development, and inventory, which a trademark owner is entitled to refuse.

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 <deerma.ro> be transferred to the Complainant.

/Mihaela Maravela/
Mihaela Maravela
Sole Panelist
Date: June 12, 2026