

ADMINISTRATIVE PANEL DECISION

Mölnlycke Health Care AB v. Cui Long
Case No. DUA2025-0007

1. The Parties

The Complainant is Mölnlycke Health Care AB, Sweden, represented by Abion AB, Sweden.

The Respondent is Cui Long, China.

2. The Domain Name(s) and Registrar(s)

The disputed domain name <molnlycke.com.ua> (the “Disputed Domain Name”) is registered with Regery Ukraine LLC (ТОВ “РЕДЖЕРІ УКРАЇНА”) (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 16, 2025. On April 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 17, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 22, 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 April 23, 2025.

The Center verified that the Complaint together with the Complaint satisfied the formal requirements of .UA Domain Name Dispute Resolution Policy (the “.UA Policy”), the Rules for .UA Domain Name Dispute Resolution Policy (the “.UA Rules”), and the WIPO Supplemental Rules for .UA Domain Name Dispute Resolution Policy (the “WIPO Supplemental Rules”).

In accordance with the .UA Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 30, 2025. In accordance with the .UA Rules, paragraph 5(a), the due date for Response was May 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 21, 2025.

The Center appointed Mariia Koval as the sole panelist in this matter on May 22, 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 .UA Rules, paragraph 7.

4. Factual Background

The Complainant, founded in 1849, is a world-leading MedTech company that specializes in sustainable solutions for wound care and surgical procedures, which are used daily by hospitals, healthcare providers and patients. The Complainant is present in 100 countries, with 14 manufacturing sites in nine countries. Namely, the Complainant is widely present in Europe, including having a Customer Care contact point in Ukraine, as well as Asia-Pacific and North South America. With over 8,617 employees and EUR 2,064 million in net sales in 2024, the Complainant's products are now marketed and sold worldwide.

The Complainant holds exclusive rights to the MÖLNLYCKE trademark (the "MÖLNLYCKE Trademark") registrations worldwide, including in Ukraine and China, among which are:

- International Trademark Registration No. 535845A, registered on March 8, 1989, in respect of goods in classes 3, 5, 10, 24 and 25;
- Chinese Trademark Registration No. 870607, registered on September 14, 1996, in respect of goods in class 10;
- European Union Trademark Registration No. 005357082, registered on September 15, 1999, in respect of goods in classes 3, 5, 10, 24 and 25;
- International Trademark Registration No. 1230528, registered on June 18, 2014, in respect of goods in classes 5, 10 and 25.

The Complainant is operating numerous domain names composed of the MÖLNLYCKE Trademark, including <molnlycke.com>, <molnlycke.de>, <molnlycke.es> and many others for promotion and sale of the Complainants products.

The Disputed Domain Name was registered on March 26, 2025. As of the date of this Decision, the Disputed Domain Name resolves to an inactive website. However, according to the evidence (Annex 7 to the Complaint) submitted with the Complaint, the Disputed Domain Name previously redirected to website "www.sedo.com" where the Disputed Domain Name was offered for sale and invited users to "make an offer".

On April 9, 2025, the Complainant sent a cease and desist letter via the Registrar's abuse contact but no response was received.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the .UA Policy for a transfer of the Disputed Domain Name.

Notably, the Complainant contends that the Disputed Domain Name is identical to the Complainant's MÖLNLYCKE Trademark since the Disputed Domain Name reproduces the Complainant's MÖLNLYCKE Trademark in its entirety. The Swedish letter "ö" is replaced in the Disputed Domain Name by letter "o" from Latin alphabet in view of the special letters are not allowed in non-internationalized domain names.

The Complainant further asserts that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name in view of the following:

- the Complainant and the Respondent have never had any previous relationships, nor has the Complainant ever granted the Respondent with any rights to use the MÖLNLYCKE Trademark, including in the Disputed Domain Name;
- the Complainant has not found that the Respondent is known by the Disputed Domain Name. Indeed, when searching for the terms “molnlycke” or “molnlycke.com.ua” in the Google search engine, all top returned results point to the Complainant or its products;
- at the time the Complainant found out about the Disputed Domain Name on April 9, 2025, it redirected to website “www.sedo.com” offering the Disputed Domain Name for sale and inviting users to “make an offer” that evidences that the Respondent was not making a legitimate non-commercial use or fair use of the Disputed Domain Name. On the contrary, the Respondent clearly intends to obtain commercial gain by offering the Disputed Domain Name at leading online marketplace for buying, selling, and monetizing domain names.

The Complainant claims that the Respondent registered and is using the Disputed Domain Name in bad faith:

- the Complainant's MÖLNLYCKE Trademark registrations significantly predate the registration of the Disputed Domain Name and the Complainant has wide recognition in Europe with a substantial presence in numerous European countries;
- the Respondent has never been authorized by the Complainant to register the Disputed Domain Name;
- the Disputed Domain Name incorporates the Complainant's MÖLNLYCKE Trademark in its entirety;
- the Disputed Domain Name redirected to website “www.sedo.com”, offering the Disputed Domain Name for sale;
- eventual sale of the Disputed Domain Name for profit to the Complainant, or a competitor of the Complainant, was the Respondent's primary purpose in registration of the Disputed Domain Name;
- the Respondent failed to respond to cease and desist letter of the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the .UA Policy binds the Complainant to prove each of the following three elements to succeed:

- (i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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.

Taking into consideration many similarities between the .UA Policy and the Uniform Domain Name Dispute Resolution Policy (“UDRP”), the Panel has taken note of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)) and, where appropriate, will decide consistent with the consensus views captured therein.

A. Identical or Confusingly Similar

In accordance with paragraph 4(a)(i) of the .UA Policy it should be established that the disputed domain names are identical or confusingly similar to a mark in which the complainant has rights.

Section 1.2.1 of the [WIPO Overview 3.0](#) makes clear that, where a complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a case.

The Panel accepts that the Complainant demonstrated that it has the rights in the MÖLNLYCKE Trademark in view of a large number of registrations in different jurisdictions, including China and Ukraine, and more than 10-year use of its MÖLNLYCKE Trademark, long before the Respondent's registration of the Disputed Domain Name.

The Disputed Domain Name reproduces the Complainant's MÖLNLYCKE Trademark in its entirety (the Swedish letter "ö" cannot be reflected in non-internationalized domain names and therefore is replaced by letter "o" from Latin alphabet) in combination with the country-code Top-Level Domain ("ccTLD") ".com.ua". In accordance with prior decisions under the .UA Policy, the applicable ccTLD in a domain name is viewed as a standard registration requirement and as such is generally disregarded under the first element confusing similarity test. See *AB Electrolux v. Захаров Евгений*, WIPO Case No. [DUA2020-0006](#). Therefore, the addition of the ccTLD ".com.ua" to the Disputed Domain Name in this case does not prevent a finding of confusing similarity between the Complainant's MÖLNLYCKE Trademark and the Disputed Domain Name.

Furthermore, previous UDRP panels have recognized that incorporation of a trademark in its entirety is sufficient to establish that a domain name is identical or confusingly similar to the complainant's registered mark; see *bridport & cie S.A v. Privatwhois.net, Private Whois bridportadvisory.com*, WIPO Case No. [D2011-2262](#).

In view of the above, the Panel concludes that the Disputed Domain Name is identical to the Complainant's MÖLNLYCKE Trademark and therefore, the Complainant has satisfied the first element of the .UA Policy.

B. Rights or Legitimate Interests

According to paragraph 4(a)(ii) of the .UA Policy the Complainant has to establish that the Respondent has no rights or legitimate interests in the Disputed Domain Name.

The applicable standard of proof in .UA cases is the "balance of probabilities" or "preponderance of the evidence". Under this standard, a party must demonstrate to the satisfaction of the Panel that the alleged fact is more likely to be true than not.

Taking into account the facts and arguments set out above, the Panel finds that the Complainant has made a prima facie case. The Complainant's origins date back to 1849. The Complainant is the owner of numerous registrations of the MÖLNLYCKE Trademark all over the world, including China and Ukraine. The Complainant claims that the Respondent is not affiliated with nor authorized by the Complainant to use previously registered MÖLNLYCKE Trademark, including in the Disputed Domain Name. The Respondent has failed to come forward with any evidence to rebut such prima facie case.

Also, taking into consideration the long use of the Complainant's MÖLNLYCKE Trademark, it is impossible to assume that the Respondent was unaware of the Complainant's Trademark at the time of registration of the Disputed Domain Name.

The Panel is of opinion that there is no evidence that the Respondent is using the Disputed Domain Name to offer bona fide goods or services or making a legitimate non-commercial or fair use. On the contrary, as at the date of filing of the Complaint the Disputed Domain Name redirected to website "www.sedo.com", an online marketplace for buying, selling, and monetizing domain names, where the Disputed Domain Name was offered for sale. According to communication received from the staff of "www.sedo.com" the Disputed Domain Name has been blocked from website and services. Thus, the Panel concludes that the above-described use of the Disputed Domain Name cannot be considered as a bona fide offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain.

The fact that the Respondent has incorporated the Complainant's MÖLNLYCKE Trademark in its entirety in the Disputed Domain Name, is further evidence, that the Respondent was well aware of the Complainant's MÖLNLYCKE Trademark and business at the time of registration of the Disputed Domain Name and has done so for the only purpose of creating an impression that the Disputed Domain Name is connected with the Complainant's MÖLNLYCKE Trademark.

In light of the above, the Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name. Therefore, the second element of the paragraph 4(a) of the Policy has been met by the Complainant.

C. Registered or Used in Bad Faith

Paragraph 4(b) of the .UA Policy sets out a non-exhaustive list of circumstances that indicate bad faith conduct on the part of a respondent, namely:

- (i) circumstances indicating that the respondent has registered or has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the disputed domain name; or
- (ii) the respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the disputed domain name, the respondent has intentionally attempted 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.

The Panel finds that the Complainant's first registration for the MÖLNLYCKE Trademark predates the registration of the Disputed Domain Name by more than 30 years. Past .UA panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith (see *Google LLC v. Александр Дмитриевич Бутенко*, WIPO Case No. [DUA2020-0009](#)).

In the Panel's opinion, the fact that the Respondent was aware of the Complainant and the Complainant's MÖLNLYCKE Trademark at the time of registration of the Disputed Domain Name is beyond doubt, given that the Disputed Domain Name is identical to the Complainant's MÖLNLYCKE Trademark which has strong distinctive character.

Furthermore, the Respondent's knowledge of the Complainant's MÖLNLYCKE Trademark is also supported by the use of the Disputed Domain Name which previously redirected to the online marketplace where the Disputed Domain Name was offered for sale. As a result, the Panel finds that the Respondent had the Complainant's MÖLNLYCKE Trademark in mind and intentionally targeted the Complainant when he registered the Disputed Domain Name.

The Respondent's bad faith is further established by the fact the Respondent has sought to conceal its identity by using a privacy shield and has not replied to the Complainant's cease and desist letter.

For the foregoing reasons, the Panel concludes that the Disputed Domain Name has been registered and is being used in bad faith. Accordingly, the Complainant has fulfilled the third condition of paragraph 4(a) of the .UA Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the .UA Policy and 15 of the .UA Rules, the Panel orders that the Disputed Domain Name <molnlycke.com.ua> be transferred to the Complainant.

/Mariia Koval/

Mariia Koval

Sole Panelist

Date: June 5, 2025