

ADMINISTRATIVE PANEL DECISION

AB Electrolux v. Дмитро Сергійович Малюк, Вадим Червінчук,
ТОВАРИСТВО З ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ “ЕВРОПА ТЕК
УКРАЇНА”, and Костянтин Сергійович Сичевський, ТОВАРИСТВО З
ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ “ТРЕЙДІНГ МВК”
Case No. DUA2025-0008

1. The Parties

The Complainant is AB Electrolux, Sweden, represented by SILKA AB, Sweden.

The Respondents are Дмитро Сергійович Малюк, Вадим Червінчук, ТОВАРИСТВО З ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ “ЕВРОПА ТЕК УКРАЇНА”, Ukraine, and Костянтин Сергійович Сичевський, ТОВАРИСТВО З ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ “ТРЕЙДІНГ МВК”, Ukraine.

2. The Domain Names and Registrar

The disputed domain names <aeg.net.ua>, <electrolux.in.ua>, and <zanussi-shop.com.ua> are registered with Internet Invest, Ltd. dba Imena.ua (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on May 8, 2025. On May 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 13, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registrant information is not published, Whois privacy protection service) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 16, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed an amended Complaint on May 20, 2025.

On May 16, 2025, the Center informed the Parties in Ukrainian and English, that the language of the registration agreement for each disputed domain name is Ukrainian. On May 19 and May 20, 2025, the Complainant confirmed its request that English be the language of the proceedings. The Respondents did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amended 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 and 4, the Center formally notified the Respondents in English and Ukrainian of the Complaint, and the proceedings commenced on May 22, 2025. In accordance with the .UA Rules, paragraph 5(a), the due date for Response was June 11, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on June 15, 2025.

The Center appointed Igor Alfiorov as the sole panelist in this matter on June 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 .UA Rules, paragraph 7.

4. Factual Background

The Complainant is AB Electrolux, a Swedish joint stock company founded in 1919 and one of the world’s leading manufacturers of appliances and equipment for kitchen, cleaning and floor care products. In 2024, the Complainant had sales of SEK 136 billion and employed approximately 41,000 people worldwide.

The Complainant holds numerous trademark registrations worldwide for its world-famous brands ELECTROLUX, AEG and ZANUSSI, including in Ukraine. For example, the International Trademark Registration No. 508107 for AEG was registered on November 28, 1986, covering goods and services in International Classes 1, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20, 21, 35, 37, 41 and 42. The ELECTROLUX trademark is protected, among others, under International Registrations No. 836605 (figurative, designating Ukraine) registered on March 17, 2004, and No. 1182758 (designating Ukraine) registered on October 10, 2013. The ZANUSSI brand is also protected, for example, under International Registration No. 404462 (designating Ukraine) registered on November 9, 1973, covering classes 6, 7, 9, 11, 14, 17, 20, 21 and 40.

The Complainant operates numerous official websites containing these trademarks, including the global sites “www.electrolux.com”, “www.aeg.com”, and “www.zanussi.com”, as well as dedicated local websites for Ukraine, such as “www.electrolux.ua”, “www.aeg.ua”, and “www.zanussi.ua”. Through these, the Complainant informs potential customers about its marks and its goods and services.

The Complainant has successfully enforced its rights to the ELECTROLUX, AEG and ZANUSSI brands in numerous domain name disputes under the UDRP and the .UA Policy.

The disputed domain name <aeg.net.ua> was registered on August 14, 2015. According to the information provided by the Registrar, it was acquired by the current registrant, Дмитро Сергійович Малюк, Вадим Червінчук from ТОВ “ЄВРОПА ТЕК УКРАЇНА”, on May 8, 2019. ТОВ “ЄВРОПА ТЕК УКРАЇНА”, a Ukrainian legal entity, is recorded as the registrant organisation. The website under the disputed domain name prominently displays the AEG trademark and actively offers AEG branded goods and services referring to itself as an “certified AEG store” without any clear disclaimer of the lack of affiliation with the Complainant.

The disputed domain name <electrolux.in.ua> was registered on August 10, 2018. According to the information provided by the Registrar, it was acquired by the current registrant, Костянтин Сергійович Сичевський from ТОВАРИСТВО З ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ “ТРЕЙДІНГ МВК” (a Ukrainian legal entity recorded as the registrant organisation) on March 4, 2020. The website under the disputed domain name prominently uses the ELECTROLUX mark and logo, and offers ELECTROLUX branded goods, presenting itself as a “certified” store without disclosing any lack of connection with the Complainant.

The disputed domain name <zanussi-shop.com.ua> was registered on December 29, 2015. According to the information provided by the Registrar, it was acquired by the current registrant Дмитро Сергійович

Малюк, Вадим Червiнчук from ТОВ “ЄВРОПА ТЕК УКРАЇНА” (a Ukrainian legal entity recorded as the registrant Organisation) on May 8, 2019. The website under the disputed domain name prominently displays the ZANUSSI trademark and sells ZANUSSI branded household products, referring to itself as an “certified ZANUSSI store” and does not disclaim any affiliated status.

The Complainant’s ELECTROLUX, AEG, and ZANUSSI trademarks acquired protection significantly prior to the acquisition of the disputed domain names by the Respondents.

5. Parties’ Contentions

A. Complainant

The Complainant contends that all three cumulative criteria as provided for in paragraph 4(a) of the .UA Policy are satisfied in this case, namely:

The disputed domain names are each identical/confusingly similar to the Complainant’s registered trademarks. The second-level domains “.in.ua”, “.net.ua”, and “.com.ua” do not affect the disputed domain names for the purpose of determining confusing similarity. The addition of the word “shop” in the disputed domain name <zanussi-shop.com.ua> should not prevent a finding of confusing similarity.

The Respondents have no rights or legitimate interests in the disputed domain names. The Respondents are not known by the disputed domain names, nor were authorized by the Complainant to use them. The websites linked to the domain names use the marks prominently and imitate the official look and feel of the Complainant’s official websites, presenting themselves as official or certified stores without disclaimers. This conduct cannot qualify as a bona fide offering of goods or services, nor does it meet the fair-use criteria (including the Oki Data test) for legitimate reseller or distributor activity.

The Complainant argues that the Respondents registered and are using the domain names in bad faith. The well-known status of the ELECTROLUX, AEG, and ZANUSSI trademarks, also confirmed by previous panels, means the Respondents must have been aware of the Complainant’s rights when they registered the disputed domain names. The Respondents are intentionally using the identical/confusingly similar disputed domain names to attract Internet users for commercial gain by creating a likelihood of confusion as to affiliation with the Complainant and its famous brands. One of the Respondent’s previous conduct of engagement into cybersquatting further confirms bad faith.

Therefore, the Complainant requests that the Panel order the transfer of the disputed domain names to the Complainant.

B. Respondents

The Respondents did not reply to the Complainant’s contentions.

6. Discussion and Findings

6.1. Procedural Issue - Language of Proceedings

Paragraph 11(a) of the .UA Rules provides that “unless otherwise agreed by the Parties, the language of the administrative proceedings shall be the language of the Registration Agreement (which shall be in English, Russian or Ukrainian), subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceedings”.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including that all three disputed domain names <aeg.net.ua>, <electrolux.in.ua>,

and <zanussi-shop.com.ua> are composed entirely of Latin characters, incorporate internationally known English-language trademarks, and contain generic English terms such as “shop”. The Complainant and its representative cannot communicate in Ukrainian. Moreover, the Complainant also noted that translating the Complaint and its annexes into Ukrainian would result in significant additional cost and delay.

The Respondents did not make any submissions with respect to the language of the proceedings and did not object to the Center’s notifications sent in both English and Ukrainian.

In exercising its discretion to use a language other than that of the registration agreement, the Panel must do so in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including the parties’ ability to understand and use the proposed language, as well as time and costs.

Having considered all the matters above, the Panel notes that, according to the evidence on file, the websites at the disputed domain names were available in several languages, including English, and determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.2. Further Procedural Considerations

Under paragraph 10 of the .UA Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

Since the Respondents’ mailing addresses are stated to be in Ukraine, which is subject to an international conflict at the date of this Decision, which may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the .UA Rules, whether the proceedings should continue.

Having considered all the circumstances of the case, the Panel is of the view that it should. The Panel notes that the Center sent the Notification of Complaint to the Respondents by postal mail and email at their email addresses as provided in the registration details of the disputed domain names to the Registrar. There is no evidence that the case notification email to these email addresses was not successfully delivered.

It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondents registered and have used the disputed domain names in bad faith.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceedings take place with due expedition the Panel will proceed to a Decision accordingly.

6.3. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the .UA Rules.

The disputed domain name registrants did not comment on the Complainant’s request.

Paragraph 3(c) of the .UA Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant’s request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and

equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.11.2.¹

As regards common control, the Panel notes that the Complainant has provided sufficient evidence that the disputed domain names are under common control for the purposes of these proceedings, namely:

- the domain names <aeg.net.ua> and <zanussi-shop.com.ua> are registered with the same Respondent;
- all three disputed domain names display highly similar website layouts, branding, and language options, and all use the Complainant’s trademarks prominently;
- the associated websites show identical or closely related contact details and refer to the same or similar address based in the same city;
- the disclosed Respondents’ registrant organisations have been involved in prior cases under .UA Policy involving similar patterns of conduct;
- technical evidence shows that all three disputed domain names are hosted on the same dedicated IP address.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. Taken together, these elements confirm that the disputed domain names are under common control for the purposes of these proceedings.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

A. Identical or Confusingly Similar

The Panel confirms that the Complainant has satisfied the threshold requirement of having valid trademark rights. As evidenced in the Complaint, the Complainant owns multiple trademarks, including ELECTROLUX, AEG, and ZANUSSI.

The second-level country-code domains “.in.ua”, “.net.ua”, and “.com.ua” in the disputed domain names should be viewed as standard registration requirement and may be disregarded for the purpose of assessing confusing similarity under paragraph 4(a)(i) of the .UA Policy.

In the present case, each disputed domain name fully incorporates one of the Complainant’s registered trademarks. In particular, the domain name <electrolux.in.ua> reproduces the Complainant’s ELECTROLUX mark in its entirety. The domain name <aeg.net.ua> incorporates the Complainant’s registered AEG mark in its entirety. The domain name <zanussi-shop.com.ua> includes the Complainant’s ZANUSSI trademark in its entirety, the addition of the term “-shop” does not prevent a finding of confusing similarity.

It is well established that when a domain name wholly incorporates a trademark, it is typically considered identical or confusingly similar for the purposes of the .UA Policy (see, e.g., *Nestlé Products Company S.A. v. Ruslan Skripka*, WIPO Case No. [DUA2024-0003](#)).

Considering the above, the Panel finds that the disputed domain names <aeg.net.ua> and <electrolux.in.ua> are identical to the Complainant’s respective trademarks AEG and ELECTROLUX. The disputed domain name <zanussi-shop.com.ua> is confusingly similar to the trademark ZANUSSI in which the Complainant has rights. Therefore, the Complainant has established the first element under paragraph 4(a)(i) of the .UA Policy.

¹Noting the similarities between the .UA Policy and the Uniform Domain Name Dispute Resolution Policy (the “UDRP”), the Panel will refer to the [WIPO Overview 3.0](#), where appropriate.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the .UA Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in the disputed domain names. While the overall burden of proof is on the Complainant, proving a negative is often a difficult task without facts known only to the Respondent. Therefore, it is sufficient for the Complainant to make a prima facie case, shifting the burden of production to the Respondent (see *L'Oréal v. Артем Волук*, WIPO Case No. [DUA2023-0001](#)).

The Complainant has stated that it never licensed or authorized the Respondent to use the ELECTROLUX, AEG or ZANUSSI trademarks. Each disputed domain name <electrolux.in.ua>, <aeg.net.ua>, and <zanussi-shop.com.ua> was acquired by the Respondent long after the Complainant's trademarks became well known.

The Respondent is not commonly known by the disputed domain names. The terms "ELECTROLUX", "AEG", and "ZANUSSI" have no meaning in Ukrainian and do not relate to the Respondent's registrant organisations' legal names (ТОВ "ЄВРОПА ТЕК УКРАЇНА" and ТОВ "ТРЕЙДІНГ МБК").

The websites connected to the disputed domain names prominently feature the Complainant's marks and offer for sale the Complainant's branded goods, without any disclaimer of affiliation. Instead, they assert to be "certified" online shops, contrary to the facts. The Panel thus concludes that the Respondent is intentionally creating the misleading impression of being official stores or authorized providers.

The Respondent does not meet at least one criteria of fair use established by the Oki Data test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), namely the obligation for an unauthorized reseller to accurately and prominently disclose its lack of an official relationship with the trademark holder. The Respondent failed to do so. Instead, it misleadingly presents each of the stores associated with the disputed domain names as "certified" stores.

The Respondent did not respond to the Complaint and has not shown any evidence of a bona fide offering under paragraph 4(c)(i) of the .UA Policy, of being commonly known by the disputed domain names under paragraph 4(c)(ii) of the .UA Policy, or of any legitimate noncommercial use under paragraph 4(c)(iii) of the .UA Policy. Instead, the evidence shows it is using the domain names to exploit the Complainant's goodwill by misleading consumers and generating commercial gain.

Accordingly, the Panel finds that the Complainant has established a prima facie case, which was un rebutted by the Respondent, and therefore has satisfied the second element under paragraph 4(a)(ii) of the .UA Policy.

C. Registered or Used in Bad Faith

Under paragraph 4(a)(iii) of the .UA Policy, the Complainant must show that the disputed domain names were registered or are being used in bad faith.

The Complainant's trademarks ELECTROLUX, AEG, and ZANUSSI are long established, widely recognized, and well known globally, including in Ukraine. The Panel finds it highly unlikely that the Respondent was unaware of these marks when registering the disputed domain names. The disputed domain names incorporate the Complainant's trademarks in their entirety and resolve to commercial websites that claim to be "certified" stores and prominently use the Complainant's marks without permission or disclaimer.

The evidence shows that the Respondent has been intentionally using the disputed domain names to attract Internet users for commercial gain by creating a false impression of affiliation with the Complainant. This behaviour falls squarely within the circumstances described under paragraph 4(b)(iv) of the .UA Policy as evidence of bad faith.

The Panel has also noted that the registrant organisations provided in the registration details for some of the disputed domain names has been previously involved in a similar .UA Policy proceeding concerning another domain name that incorporated the ELECTROLUX trademark (see *AB Electrolux проти ТОВАРИСТВО З ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ "ЄВРОПА ТЕК УКРАЇНА"*, WIPO Case No. [DUA2021-0023](#)).

Altogether, the presented evidence points to the fact that the Respondent knew of the Complainant's rights and intentionally registered and used the disputed domain names to mislead Internet users and benefit commercially from the likelihood of confusion with the Complainant.

Accordingly, the Panel finds that the Complainant has satisfied the third element under paragraph 4(a)(iii) 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 names <aeg.net.ua>, <electrolux.in.ua>, <zanussi-shop.com.ua> be transferred to the Complainant.

/Igor Alfiorov/

Igor Alfiorov

Sole Panelist

Date: July 7, 2025