

ADMINISTRATIVE PANEL DECISION

Intrum AB v. Kim Ku, Kimku Host
Case No. D2024-0246

1. The Parties

The Complainant is Intrum AB, Sweden, represented by BrandIT GmbH, Switzerland.

The Respondent is Kim Ku, Kimku Host, Georgia.

2. The Domain Names and Registrar

The disputed domain names <hjelpintrum.com>, <intrumbetaling.com>, <intrum-hjelp.com>, <intrum-id.app>, <intrum-id.com>, <intrum-innbetaling.com>, <intrum-norge.com>, <intrumnorge.com>, <intrum-regning.com>, <intrum-service.com>, <minintrum.com>, <my-intrum.app>, <my-intrum.co>, <my-intrum.com>, <myintrum.com>, <my-intrumid.app>, and <service-intrum.com> (the “Domain Names”) are registered with OwnRegistrar, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 19, 2024. On January 23, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On January 24, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (WhoisSecure) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 25, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. On January 30, 2024, the Complainant filed an amended Complaint, as well as a request for withdrawal with respect to the domain name <betale-intrum.info> originally included in the Complaint.

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 February 2, 2024. In accordance with the Rules, paragraph 5, the due date for Response was February 22, 2024. The Respondent did not submit any response.

Accordingly, the Center notified the Respondent's default on February 23, 2024.

The Center appointed Piotr Nowaczyk as the sole panelist in this matter on February 27, 2024. 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 credit management and financial services company. It was founded in 1923 in Stockholm, Sweden. Currently, the Complainant employs around 10,000 people in 25 countries and serves around 100,000 customers across Europe.

The Complainant is the owner of numerous INTRUM trademark registrations, including:

- the International Trademark Registration for INTRUM (word), No. 908925, registered on November 3, 2006;
- the International Trademark Registration for INTRUM (figurative), No. 1431122, registered on June 12, 2018; and
- the European Union Trade Mark Registration for INTRUM (word), No. 000306639, registered on June 14, 1999.

The Complainant claims that it also operates a number of the domain names incorporating its INTRUM trademark, such as <intrum.com>.

The disputed domain name <hjelpintrum.com> was registered on January 1, 2024.
The disputed domain name <intrumbetaling.com> was registered on January 3, 2024.
The disputed domain name <intrum-hjelp.com> was registered on January 1, 2024.
The disputed domain name <intrum-id.app> was registered on January 2, 2024.
The disputed domain name <intrum-id.com> was registered on December 31, 2023.
The disputed domain name <intrum-innbetaling.com> was registered on January 7, 2024.
The disputed domain name <intrum-norge.com> was registered on December 31, 2023.
The disputed domain name <intrumnorge.com> was registered on January 5, 2024.
The disputed domain name <intrum-regning.com> was registered on January 12, 2024.
The disputed domain name <intrum-service.com> was registered on December 31, 2023.
The disputed domain name <minintrum.com> was registered on January 1, 2024.
The disputed domain name <my-intrum.app> was registered on December 29, 2023.
The disputed domain name <my-intrum.com> was registered on December 30, 2023.
The disputed domain name <my-intrum.co> was registered on November 28, 2023.
The disputed domain name <myintrum.com> was registered on January 1, 2024.
The disputed domain name <my-intrumid.app> was registered on January 4, 2024.
The disputed domain name <service-intrum.com> was registered on December 31, 2023.

At the time of submitting the Complaint, the Domain Names resolved to inactive websites. Some of them displayed the warning of suspected phishing sites.

According to the Complainant, the disputed domain name <minintrum.com> was previously used as a link in a text message requesting its recipient to proceed with the online payment. Moreover, the Complainant alleges that the disputed domain name <intrum-innbetaling.com> resolved previously to the website featuring a login page which requested personal information from the Internet users.

As of the date of this decision, the Domain Names resolve to inactive websites. In the case of the disputed domain names <intrum-id.com> and <my-intrum.co>, the warning of suspected phishing site is displayed.

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 Domain Names.

First, the Complainant submits that the Domain Names are confusingly similar to the INTRUM trademark in which the Complainant has rights.

Second, the Complainant argues that the Respondent has neither rights nor legitimate interests in the Domain Names.

Third, the Complainant contends that the Domain Names were registered and are being used in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy places a burden on the Complainant to prove the presence of three separate elements, which can be summarized as follows:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the Domain Names; and
- (iii) the Domain Names have been registered and are being used in bad faith.

The requested remedy may only be granted if the above criteria are met.

At the outset, the Panel notes that the applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence". See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)).

A. Identical or Confusingly Similar

Under the first requirement, the Complainant must establish that the Domain Names are identical or confusingly similar to the trademark in which the Complainant has rights.

The Complainant holds valid INTRUM trademark registrations. The Domain Names incorporate this trademark in its entirety. As numerous UDRP panels have held, incorporating a trademark in its entirety is sufficient to establish that a domain name is identical or confusingly similar to that trademark ([WIPO Overview 3.0](#), section 1.7).

The addition of other terms such as "hjelp", "betaling", "-hjelp", "-id", "-innbetaling", "-norge", "norge", "-regning", "-service", "min", "my-", "my", "id", or "service-" in the Domain Names does not prevent a finding of confusing similarity between the Domain Names and the Complainant's INTRUM trademark. As numerous

UDRP panels have held, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. See section 1.8, [WIPO Overview 3.0](#).

Top-Level Domains (“TLDs”) “.com”, “.app”, and “.co” in the Domain Names are viewed as a standard registration requirement and as such are disregarded under the first element confusing similarity test. See section 1.11.1, [WIPO Overview 3.0](#).

Given the above, the Panel finds that the Domain Names are confusingly similar to the INTRUM trademark in which the Complainant has rights. Thus, the Complainant has proved the requirements under paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Under the second requirement, the Complainant must prove that the Respondent has no rights or legitimate interests in the Domain Names.

The respondent may establish rights or legitimate interests in the domain name by demonstrating in accordance with paragraph 4(c) of the Policy any of the following:

- (i) that it has used or made preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that it is commonly known by the domain name, even if it has not acquired any trademark rights; or
- (iii) that it is making a legitimate, noncommercial or fair use of the domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

Although given the opportunity, the Respondent has not submitted any evidence indicating that any of the circumstances foreseen in paragraph 4(c) of the Policy are present in this case.

On the contrary, it results from the evidence on record that the registrations of the Complainant’s INTRUM trademark predate the Respondent’s registration of the Domain Names. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use this trademark or to register the Domain Names incorporating the trademark. There is also no evidence to suggest that the Respondent has been commonly known by the Domain Names.

Moreover, it results from the evidence on record that the Respondent does not make use of the Domain Names in connection with a bona fide offering of goods or services, nor does it make a legitimate noncommercial or fair use of the Domain Names. On the contrary, at the time of submitting the Complaint and as of the date of this Decision, the Domain Names have resolved to inactive websites. As regards the disputed domain name <minintrum.com>, the Complainant presents print screens showing that it was previously used as a link in the text message requesting its recipient to proceed with online payment. Moreover, with respect to the disputed domain name <intrum-innbetaling.com>, the Complainant presents print screens showing that it resolved previously to the website featuring a login page which requested personal information from the Internet users. Such use of the Domain Names does not confer rights or legitimate interests on the Respondent.

Given the above, the Respondent has failed to invoke any circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in respect of the Domain Names. Thus, there is no evidence in the case file that refutes the Complainant’s prima facie case. The Panel concludes that the Complainant has also proved the requirement under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Under the third element, the Complainant must prove that the Domain Names were registered and are being used in bad faith.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1, [WIPO Overview 3.0](#).

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use includes without limitation:

- (i) circumstances indicating the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding domain name, provided it is a pattern of such conduct; or
- (iii) circumstances indicating that the domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with a trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on a website or location.

As indicated above, the Complainant's rights in the INTRUM trademark predate the registration of the Domain Names. This Panel finds that the Respondent was or should have been aware of the Complainant's trademark at the time of the registration, as it has been proven to the Panel's satisfaction that the Complainant's INTRUM trademark is well known and unique to the Complainant. Thus, the Respondent could not likely reasonably ignore the reputation of this trademark. In sum, the Respondent in all likelihood registered the Domain Names with the expectation of taking advantage of the reputation of the Complainant's INTRUM trademark.

Furthermore, as showed by the Complainant, the disputed domain names <minintrum.com> and <intrum-innbetaling.com> were being used in bad faith by the Respondent for the purpose of a fraudulent scheme or phishing. There is, thus, little doubt that the Respondent intended to earn profit from the confusion created with Internet users. In consequence, the Panel finds that the Respondent used the Domain Names deliberately in order to take advantage of the Complainant's reputation and to give credibility to its operations through the incorporation of the Complainant's INTRUM trademark.

Finally, as of the date of this Decision, as well as at the time of submitting the Complaint, the Domain Names have not resolved to active websites. Some of them have displayed the warning of suspected phishing sites. Considering the overall circumstances of this case, the Panel finds that the Respondent's passive holding of the Domain Names does not prevent a finding of bad faith. As numerous UDRP panels have held, passive holding, under the totality of circumstances of the case, would not prevent a finding of bad faith under the Policy. See section 3.3 of the [WIPO Overview 3.0](#). Here, given the well-known nature of the Complainant's trademark and the implausible good faith use to which the Domain Names may be intrinsically put, the Panel agrees with the above.

For the reasons discussed above, the Panel finds that the Complainant has proved the requirements under paragraph 4(a)(iii) 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 Domain Names <hjelpintrum.com>, <intrumbetaling.com>, <intrum-hjelp.com>, <intrum-id.app>, <intrum-id.com>, <intrum-innbetaling.com>, <intrum-norge.com>, <intrumnorge.com>, <intrum-regning.com>, <intrum-service.com>, <minintrum.com>, <my-intrum.app>, <my-intrum.co>, <my-intrum.com>, <myintrum.com>, <my-intrumid.app>, and <service-intrum.com> be transferred to the Complainant.

/Piotr Nowaczyk/

Piotr Nowaczyk

Sole Panelist

Date: March 12, 2024