

ADMINISTRATIVE PANEL DECISION

Solvay S.A. v. Suraj Vilankar
Case No. D2024-2166

1. The Parties

The Complainant is Solvay S.A., Belgium, represented by Novagraaf Belgium NV/SA, Belgium.

The Respondent is Suraj Vilankar, India.

2. The Domain Name and Registrar

The disputed domain name <solvay.world> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 27, 2024. On May 28, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 28, 2024, 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 (“Name redacted for Privacy”) and contact information in the Complaint (REDACTED FOR PRIVACY, Domains by Proxy, LLC). The Center sent an email communication to the Complainant on May 30, 2024, 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 May 31, 2024.

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 June 4, 2024. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 2, 2024.

The Center appointed Jonathan Turner as the sole panelist in this matter on July 18, 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 major company in the field of chemicals and materials. It was founded in 1863 and has its headquarters in Brussels. It has offices and production sites in more than 60 countries and employs around 22,000 people. Its net sales in 2022 amounted to 13.4 billion euros.

The Complainant holds numerous trademark registrations consisting of or containing the word SOLVAY, including:

- European Union trademark no. 000067801 for the word mark SOLVAY registered since May 30, 2000, in classes 1, 3, 4, 5, 7, 9, 10, 12, 17, 19, 20 and 31.
- United States of America trademark no. 2770637 for the word mark SOLVAY registered since September 26, 2000, in classes 1, 15, 17 and 31.
- Indian trademark no. 2496065 for the word mark SOLVAY registered since March 14, 2013, in class 1.

The Complainant is also the registrant of many domain names containing the word "solvay", including <solvay.com>, registered since 1995.

The disputed domain name was registered on May 6, 2024, and it does not locate any web page.

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.

The Complainant submits that the disputed domain name is identical to its registered marks for the word SOLVAY apart from the addition of the generic Top- Level Domain suffix, ".world".

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant points to the lack of any web page located by the disputed domain name indicates that it has not been used for a bona fide offering of goods or services. The Complainant states that to the best of its knowledge, the Respondent is not commonly known by the disputed domain name and does not own any corresponding trademark. The Complainant adds that it has not licensed the Respondent to use its SOLVAY trademark or any domain name containing this mark.

The Complainant alleges that the Respondent must have known of the Complainant's use of the mark SOLVAY, and that his choice of the disputed domain name, consisting of this well-known mark, is a clear indication of registration and passive use in bad faith.

B. Respondent

As stated above, the Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, to succeed in this Complaint, the Complainant must prove: (i) that the disputed domain name is identical or confusingly similar to a mark in which it has rights; (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) that the disputed domain name has been registered and is being used in bad faith. It is convenient to consider each of these requirements in turn.

In accordance with paragraph 14(b) of the Rules, the Panel shall draw such inferences as it considers appropriate from the Respondent's failure to file a response. This includes the acceptance of plausible evidence of the Complainant which has not been disputed.

A. Identical or Confusingly Similar

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)") section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Panel is satisfied on the undisputed evidence that the Respondent has not used or made preparations to use the disputed domain name for a bona fide offering of goods or services or for any legitimate noncommercial or fair use. The Respondent is not commonly known by the disputed domain name or any corresponding name and has not been licensed to use it by the Complainant.

In all the circumstances, the Panel is satisfied that the Respondent has no rights or legitimate interests in the disputed domain name.

C. Registered and Used in Bad Faith

The Panel is satisfied on the undisputed evidence that the Respondent is likely to have known of the Complainant's mark when he registered the disputed domain name and chose it on account of its identity with that mark in bad faith. The Panel further considers that the Respondent's retention of the disputed domain name constitutes a passive use of it in bad faith.

The Panel concludes on the balance of probabilities that the disputed domain name was registered and is being used in bad faith.

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 <solvay.world> be transferred to the Complainant.

/Jonathan Turner/

Jonathan Turner

Sole Panelist

Date: August 1, 2024