

ADMINISTRATIVE PANEL DECISION

Mölnlycke Health Care AB v. 于青青 (yu qing qing) and MEI WANG
Case No. D2024-3545

1. The Parties

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

The Respondents are 于青青 (yu qing qing), China, and MEI WANG, China.

2. The Domain Names and Registrars

The disputed domain names <biogel.online> and <hibiwash.online> are registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn).

The disputed domain names <hibiwash.xyz>, <biogel.xyz>, and <mepiform.xyz> are registered with Dynadot Inc.

Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) and Dynadot Inc will be referred to collectively as the “Registrars”.

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 2, 2024. On September 2, 2024, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On September 2, 2024, the Registrar Dynadot Inc transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names <hibiwash.xyz>, <biogel.xyz> and <mepiform.xyz> which differed from the named Respondent (Privacy protected / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. On September 3, 2024, the Registrar Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) transmitted by email to the Center its verification response confirming that the Respondent yu qing qing is listed as the registrant for the remaining disputed domain names and providing the contact details.

The Center sent an email communication to the Complainant on September 17, 2024, providing the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, 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, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on the same day.

On September 17, 2024, the Center also informed the Parties in Chinese and English that the language of the registration agreement for the disputed domain names <biogel.online> and <hibiwash.online> is Chinese. On the same day, the Complainant requested English to be the language of the proceeding. 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 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 Respondents in English and Chinese of the Complaint, and the proceedings commenced on September 23, 2024. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2024. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 15, 2024.

The Center appointed Karen Fong as the sole panelist in this matter on October 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, based in Sweden, was founded in 1849 and is a medical solutions company, specializing in, inter alia, wound care and surgical procedures. It has over 8,400 employees and in 2023 had net sales of EUR 1,924 million.

The Complainant has a portfolio of brands including MEPIFORM which is a self-adherent dressing for reduction and prevention of hypertrophic or keloid scarring; HIBIWASH for a range of antimicrobial wash products for pre and post operative care and BIOGEL for medical gloves.

The above brands are registered in many countries and territories worldwide, including:

- European Union Trade Mark Registration No. 003239456 for MEPIFORM registered on December 17, 2004;
- Australian Trade Mark Registration No. 471367 for BIOGEL registered on August 24, 1987; and
- European Union Trade Mark Registration No. 007156672 for HIBIWASH registered on July 7, 2009 (individually and collectively, the "Trade Marks").

The details of the disputed domain names are as follows:

| Disputed Domain Name | Creation Date | Registrant | Comment |
|----------------------|-------------------|--------------------|---|
| <biogel.online> | November 14, 2023 | 于青青 (yu qing qing) | The disputed domain name redirected to a "www.dan.com" parking page where it was offered for sale for a "Buy Now" price of USD 950. |
| <hibiwash.online> | November 14, 2023 | 于青青 (yu qing qing) | The disputed domain name redirected to a "www.dan.com" parking page where it was offered for sale for a "Buy Now" price of USD 950. |

| | | | |
|----------------|-------------------|----------|---|
| <hibiwash.xyz> | November 28, 2023 | MEI WANG | The disputed domain name redirected to a “www.dan.com” parking page where it was offered for sale for a “Buy Now” price of USD 1,450. |
| <biogel.xyz> | June, 2, 2024 | MEI WANG | The disputed domain name redirected to a “www.dan.com” parking page where it was offered for sale for a “Buy Now” price of USD 1,450. |
| <mepiform.xyz> | November 28, 2023 | MEI WANG | The disputed domain name redirected to a “www.dan.com” parking page where it was offered for sale for a “Buy Now” price of USD 1,450. |

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 names.

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to the Trade Marks in which it has rights, that the Respondents have no rights or legitimate interests with respect to the disputed domain names, and that the disputed domain names were registered and are being used in bad faith.

B. Respondents

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

6. Discussion and Findings

6.1. Preliminary Issues

A. 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 the disputed domain names are under common control. The Complainant requests the consolidation of the Complaint against the disputed domain names registrants pursuant to paragraph 10(e) of the Rules.

The Respondents did not comment on the Complainant’s request.

Paragraph 3(c) of the 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.

As regards common control, the Panel notes the following:

- (1) The disputed domain names each include one of the Trade Marks as part of them;
- (2) The disputed domain names redirected to the same website at “www.dan.com”, where they were offered for sale and based on the Panel’s independent search carried out pursuant to paragraphs 10 and 12 of the Rules they now redirect to the same website at “www.godaddy.com” where they are offered for sale;
- (3) The two Respondents have addresses in Jiangsu, China;
- (4) Both Respondents have been the respondents of numerous UDRP proceedings against various brand owners which have resulted in those domain names being ordered to be transferred indicating that they are serial cybersquatters; and
- (5) The Respondents failed to file responses.

The evidence submitted points to the fact that the disputed domain names are subject to common control by the Respondents. The above pattern evidences common conduct based on the registration and use of the disputed domain names, and such conduct interferes with the Trade Marks. The Respondents had the opportunity but did not respond to the Complaint. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

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

B. Language of the Proceeding

The language of the Registration Agreement for the disputed domain names <biogel.online> and <hibiwash.online> is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for the following reasons:

- The disputed domain names comprise English characters and have as the Top-Level Domain, the English word, “online”; they are on sale on an English language website suggesting that the Respondent is proficient in the English language;
- Translating the Complaint into Chinese would entail significant additional costs for the Complainant and delay in the proceeding;
- English is the international language for business and should be considered neutral in the present case.

The Respondent has not challenged the Complainant’s language request and in fact has failed to file a response in either English or Chinese. The Panel also notes that three of the disputed domain names in the proceeding have English as the language of the Registration Agreement which is good evidence that the Respondent is familiar with the English language.

In exercising its discretion to use a language other than that of the registration agreement, 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 3.0](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issues

A. Identical or Confusingly Similar

It is well accepted that the first element 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 trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of trade marks or service marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the entirety of each of the Trade Marks is reproduced within each disputed domain name. Accordingly, the disputed domain names are identical to the Trade Marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, 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.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and 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 and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent knew or should have known of the Trade Marks when he/she registered the disputed domain names given the reputation of the Trade Marks, which were registered and used for between 15 to 30 years prior to registration of the disputed domain names. It is therefore more likely than not that the Respondent was aware of the Complainant when he/she registered the disputed domain names.

In the [WIPO Overview 3.0](#), section 3.2.2 states as follows:

"Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a

respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent's claim not to have been aware of the complainant's mark."

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent's choice of the disputed domain names without any explanation is also a significant factor to consider (as stated in [WIPO Overview 3.0](#), section 3.2.1). The disputed domain names fall into the category stated above and the Panel finds that the registration is in bad faith.

The disputed domain names are also being used in bad faith. The disputed domain names were being offered for sale by the Respondent on a domain name marketplace for a sum which presumably well exceeds the costs directly related to the registration of the disputed domain names. This is evidence that the Respondent has registered the disputed domain names primarily for the purpose of selling as set out in paragraph 4(b)(i) of the Policy.

The Panel therefore finds that the disputed domain names have been registered and are being used in bad faith.

Further, the Panel also notes that the Respondent has been on the wrong side of other UDRP cases concerning third party brand owners which have resulted in the domain names being ordered to be transferred. For example, *SEB S.A. v. 于青青 (yu qing qing)*, WIPO Case No. [D2024-2124](#); *Bonduelle SA v. 于青青 (yu qing qing)*, WIPO Case No. [D2024-0002](#); *Laboratoires Expanscience v. 于青青 (Yu Qing Qing)*, WIPO Case No. [D2023-5312](#); *Investec Bank Limited v. Mei Wang*, WIPO Case No. [D2024-2608](#); *Zambon S.p.A. v. Mei Wang*, WIPO Case No. [D2024-2066](#); and *Société Cooperative Agricole Limagrain v. MEI WANG and 于青青 (yu qing qing)*, WIPO Case No. [D2024-1794](#). This is an indication that the Respondent is a serial cybersquatter and is engaged in a pattern of bad faith conduct not only historically but in the present case which is an example of bad faith contained in paragraph 4(b)(ii) of the Policy ([WIPO Overview 3.0](#), section 3.1.2).

Based on the available record, the Panel finds the third element of the Policy has been established.

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 names <biogel.online>, <biogel.xyz>, <hibiwash.online>, <hibiwash.xyz>, and <mepiform.xyz> be transferred to the Complainant.

/Karen Fong/

Karen Fong

Sole Panelist

Date: November 1, 2024