

ADMINISTRATIVE PANEL DECISION

Verisure Sàrl v. mesut erdogan
Case No. D2024-4599

1. The Parties

The Complainant is Verisure Sàrl, Switzerland, represented by Abion GmbH, Switzerland.

The Respondent is mesut erdogan, Türkiye.

2. The Domain Names and Registrar

The disputed domain names <verisuredirectresponse.com>, <verisurepro.com>, and <verisurereponserapide.com> are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 8, 2024. On November 8, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 9, 2024, 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 (REDACTED FOR PRIVACY (DT), Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 11, 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 November 12, 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 proceeding commenced on November 14, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 4, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 5, 2024.

The Center appointed Sebastian M.W. Hughes as the sole panelist in this matter on December 11, 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

A. Complainant

The Complainant is a company incorporated in Switzerland and a leading global provider, since 1988, of professionally monitored security systems, under the trade mark VERISURE (the "Trade Mark"). The Complainant is the owner of numerous registrations for the Trade Mark, including European Union registration No. 006674915, with a registration date of March 26, 2010. The Complainant also applied for European Union trade mark registrations on June 19, 2024 and July 10, 2024, respectively, for VERISURE PRO and VERISURE DIRECTRESPONSE under the Nos. 019043314 and 019052540, respectively.

The Complainant owns numerous domain names containing the Trade Mark including <verisure.com>, which resolves to its official website promoting its products and services under the Trade Mark.

B. Respondent

The Respondent is at least nominally resident in Türkiye.

C. Disputed Domain Names

The disputed domain names <verisuredirectresponse.com> and <verisurereponserapide.com> were registered on July 10, 2024. The disputed domain name <verisurepro.com> was registered on June 19, 2024.

D. Use of the Disputed Domain Names

Each of the disputed domain names is offered for sale via websites hosted by GoDaddy, for the same asking price of USD 2,850.

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 each of the disputed domain names has been offered for sale for the same asking price of USD 2,850. The Complainant also contends that the Respondent registered the disputed domain name <verisurepro.com> on the same day of the Complainant's filing of European Union trade mark registration for VERISURE PRO, and later registered the disputed domain name <verisuredirectresponse.com> on the same day of the Complainant's filing of European Union trade mark registration for VERISURE DIRECTRESPONSE.

B. Respondent

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

6. Discussion and Findings

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 names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

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

The Panel finds the Trade Mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

Although 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 difficult 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 (although the burden of proof always remains on the complainant). 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 available 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.

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 evidence clearly demonstrates that the disputed domain names have been registered and used in bad faith, under paragraph 4(b)(i) of the Policy – namely, that the Respondent has registered the disputed domain names primarily for the purpose of selling them to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's out-of-pocket costs directly related to the disputed domain names.

The Panel finds that the Complainant has established the third element 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 disputed domain names <verisuredirectresponse.com>, <verisurepro.com>, and <verisurereponserapide.com> be transferred to the Complainant.

/Sebastian M.W. Hughes/

Sebastian M.W. Hughes

Sole Panelist

Date: December 18, 2024