Panel Decision for dispute CAC-ADREU-008970

Case number	**CAC-ADREU-008970**
Time of filing	**2026-09-29 16:01:11**
Domain names	**inimelectronics.eu**

Case administrator

Organization	**Iveta Špiclová (Czech Arbitration Court) (Case admin)**

Complainant

Organization	**INIM Electronics S.r.l. Unipersonale**

Respondent

Name	**Baldovino Ruggieri**

INSERT INFORMATION ABOUT OTHER LEGAL PROCEEDINGS THE PANEL IS AWARE OF WHICH ARE PENDING OR DECIDED AND WHICH RELATE TO THE DISPUTED DOMAIN NAME

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

FACTUAL BACKGROUND

The Complainant is an Italian company founded in 2005 and specialized in manufacturing and distributing security and fire detection systems worldwide.

The Complainant is the owner of the following trademark registrations for INIM:

- European Union trademark registration No. 6085997 for INIM (word mark), filed on July 10, 2007, and registered on May 26, 2008, in classes 9, 37 and 45;

- European Union trademark registration No. 17928916 for INIM (figurative mark), filed on July 11, 2018, and registered on December 27, 2018, in classes 9, 37, 42 and 45.

The Complainant is the owner of the domain name <inim.it>, registered on April 22, 2008, and used by the Complainant to promote its products and services under the trademark INIM.

The disputed domain name <inimelectronics.eu> was registered on July 15, 2026, and currently does not resolve to an active website. The Complainant states that the disputed domain name resolved prior to this proceeding to the Complainant's own website “www.inim.it”.

A. COMPLAINANT

The Complainant contends that the disputed domain name <inimelectronics.eu> is identical to its company name and confusingly similar to its registered trademark INIM.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name because: i) the Respondent has no connection whatsoever with the Complainant and has never been authorized, licensed, or otherwise permitted to use the INIM mark in any domain name or business activity; ii) the Respondent is not commonly known by the disputed domain name; iii) the Respondent has indicated without authorization the name of the Complainant’s founder and legal representative as registrant in the Whois records of the disputed domain name; and iv) the Respondent has not made a legitimate noncommercial or fair use of the disputed domain name as it has used the disputed domain name to send fraudulent email communications.

The Complainant claims that the Respondent used the disputed domain name in bad faith to send fraudulent e-mails to the Complainant’s customers and distributors in multiple countries impersonating the Complainant and the Complainant’s founder and legal representative, in an attempt to obtain commercial advantage by generating confusion as to the source or affiliation of the communications. The Complainant submits that this use forms part of a documented pattern since two additional domain names, <inimelectronic.com>, registered on July 7, 2026, and <inimelectronics.de>, registered on July 14, 2026, were registered and used in the same manner within the same two-week period, evidencing a deliberate and repeated scheme intended to disrupt the Complainant’s relationships with its customers.

B. RESPONDENT

No administratively compliant Response has been filed.

DISCUSSION AND FINDINGS

I. Procedural Factors

The Panel is satisfied that the administrative and procedural requirements of the ADR Rules and the ADR Supplemental Rules have been met. The matter is therefore properly before the Panel.

II. Substantive issues

II.1. Legal Framework

According to Article 4(4) of the Regulation (EU) 2019/ 517 (hereinafter the "Regulation") and Paragraph B11(d)(1) of the ADR Rules, the Complainant bears the burden of proving the following:

1. the disputed domain name is identical with or confusingly similar to a name in respect of which a right is established by the national law of a Member State and/or European Union law; and either
2. the domain name has been registered by the respondent without rights or legitimate interest in the name; or
3. the domain name has been registered or is being used in bad faith.

II.2. Identical or confusingly similar to a name in respect of which a right is established by European Union or national law

The first requirement that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, a Complainant's name in respect of which a right is established by European Union or national law.

The Panel finds that the Complainant has proven its rights in the name INIM within the meaning of Article 4(4) of the Regulation. Indeed, the Complainant has provided evidence of ownership of European Union trademark registrations for INIM. Moreover, the Complainant has established rights in INIM ELECTRONICS based on its company name Inim Electronics Srl.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark INIM since it reproduces the mark in its entirety with the addition of the dictionary term "electronics", which is not sufficient to prevent a finding of confusingly similarity.

Furthermore, the disputed domain name is also identical to the Complainant's company name Inim Electronics Srl.

As to the top level domain ".eu", it is well established that it may be excluded from consideration as being merely functional component of a domain name.

The Panel therefore finds that the Complainant has satisfied the first requirement of Article 4(4) of the Regulation and of Paragraph B11(d)(1)(i) of the ADR Rules.

II.3. Rights or legitimate interest in the name

According to Article 4(4) of the Regulation and Paragraph B11(d)(1)(ii) of the ADR Rules, the Complainant is also required to prove the lack of rights or legitimate interest of the Respondent in the disputed domain name.

Pursuant to Paragraph B(11)(e) of the ADR Rules, the following circumstances, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate a respondent's rights or legitimate interests in a domain name:

- prior to any notice of an alternative dispute resolution procedure, the respondent has used the disputed domain name or a name corresponding to the disputed domain name in connection with the offering of goods or services or has made demonstrable preparation to do so;
- the respondent has been commonly known by the disputed domain name;
- the respondent is making a legitimate and non-commercial or fair use of the disputed domain name, without intend to mislead consumers or harm the reputation of the name on which a right is recognized.

A complainant is required to make a *prima facie* case that the respondent lacks rights or legitimate interests and, once such *prima facie* case is made, the burden of production shifts to the respondent to submit appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

In the case at hand, the Panel finds that the Complainant has made a *prima facie* case and that the Respondent, by not submitting a Response, has failed to provide any element from which a Respondent's right or legitimate interest in the disputed domain name could be inferred.

The Complainant states that it has not authorized the Respondent to register and use its trademark INIM or the disputed domain name. According to the records, there is no evidence that the Respondent might be commonly known by the disputed domain name or a name corresponding to the disputed domain name.

The Panel finds that there is no evidence on record suggesting the Respondent has ever used or made preparation to use the disputed domain name, or a name corresponding to the disputed domain name, in connection with a *bona fide* offering of goods and services, or a legitimate and non-commercial or fair use, without intent to mislead consumers or harm the reputation of a name in which the Complainant has right.

Indeed, as highlighted above, the disputed domain name currently does not resolve to an active website. The Complainant states that, prior to this proceeding, the disputed domain name resolved to the Complainant's website "www.inim.com" and was used for sending fraudulent emails to the Complainant's customers and distributors passing off as the Complainant's legal representative. The Complainant has provided copy of email communications including an alleged procurement proposal, which were sent to a third party from an email address based on the disputed domain name impersonating the Complainant's legal representative.

In accordance with the WIPO Jurisprudence, which has been taken into account in prior .eu disputes considering the similarities of the ADR Rules and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), the Panels finds that the use of a domain name for illegal activity such as impersonation, phishing or other types of fraud can never confer rights or legitimate interests on a respondent. See also CAC Case No. CAC-ADREU-008393 (<gevars.eu>).

The Panel therefore finds that the Complainant has satisfied the second requirement of Article 4(4) of the Regulation and of Paragraph B11(d)(1)(ii) of the ADR Rules.

II.4. Registered or used in bad faith

As the two conditions established in Paragraphs B(11)(d)(1)(i) and (ii) of the ADR Rules have already been fulfilled, the Panel does not need to examine

whether the Respondent has registered or is using the disputed domain name in bad faith, under Paragraph B(11)(d)(1)(iii) of the ADR Rules.

However, the Panel has done it by its own discretion and finds out that all the conditions of the bad faith stipulated in Paragraph (B)11(d)(1)(iii) of the ADR Rules have been met.

The Panel notes that, for the purposes of paragraph B(11)(d)(1)(iii) of the ADR Rules, Paragraph B(11)(f) of the ADR Rules establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith.

In the present case, the Panel finds that, in light of the prior use of the INIM mark and of the Complainant's company name Inim Electronics Srl in connection with the Complainant's manufacturing and distribution of security and fire detection systems and the promotion of the Complainant's products and services online via the Complainant's website "www.inim.com", the Respondent knew or should have been aware of the Complainant's trademark when it registered the disputed domain name on July 15, 2026.

Moreover, the composition of the disputed domain name, which incorporates the Complainant's trademark and is identical to the Complainant's company name, and the use of the disputed domain name made by the Respondent prior to this proceeding as documented by the Complainant suggest that the Respondent was actually aware of, and intended to target, the Complainant and its mark at the time of registration.

Indeed, as indicated above, the Complainant states that the Respondent redirected the disputed domain name to its own website "www.inim.com" and, according to the evidence submitted by the Complainant – which has not been challenged by the Respondent – the Respondent created an email address based on the disputed domain name which was used to send fraudulent business e-mails with an alleged procurement proposal impersonating the Complainant's founder and legal representative. Such use of the disputed domain name suggests that the Respondent was clearly aware of the Complainant and intentionally registered the disputed domain name with the purpose of using it to mislead recipients of its email communications into believing that they were communicating with the Complainant.

The Respondent's fraudulent impersonation of the Complainant clearly amounts to a use of the disputed domain name in bad faith.

As an additional circumstance evidencing the Respondent's bad faith, the Respondent indicated false contact details in the Whois records of the disputed domain name, as it disclosed as registrant name the name of the Complainant's legal representative and indicated the postal address of the Complainant. Other panels have considered that the use of false contact details might be considered as further evidence of bad faith. See CAC Case No. CAC-ADREU-008782 (<groupecreditmutuel.eu>)

Accordingly, the Panel finds that the Respondent both registered and used the disputed domain name in bad faith within the meaning of Article 4(4)(b) of the Regulation and Paragraph B11(d)(1)(iii) of the ADR Rules.

II.5. Eligibility criteria

The Complainant requests the transfer of the disputed domain name. Since the Complainant is an undertaking established in Italy, it satisfies the general eligibility criteria for registration of the disputed domain name set out in Article 3 of the Regulation and is entitled to request the transfer of the disputed domain name.

DECISION

For all the foregoing reasons, in accordance with Paragraphs B12 (b) and (c) of the Rules, the Panel orders that the domain name <inimelectronics.eu> be transferred to the Complainant.

PANELISTS

Name	**Luca Barbero**

DATE OF PANEL DECISION 2026-09-29

Summary

ENGLISH SUMMARY OF THIS DECISION IS HEREBY ATTACHED AS ANNEX 1

I. Disputed domain name: <inimelectronics.eu>

II. Country of the Complainant: Italy, country of the Respondent: Italy

III. Date of registration of the domain name: 15 July 2026

IV. Rights relied on by the Complainant (B(11)(f) ADR Rules) on which the Panel based its decision:
European Union trademark registration No. 6085997 for INIM (word mark), filed on July 10, 2007, and registered on May 26, 2008, in classes 9, 37 and 45; European Union trademark registration No. 17928916 for INIM (figurative mark), filed on July 11, 2018, and registered on December 27, 2018, in classes 9, 37, 42 and 45; and Complainant's company name.

V. Response submitted: No

VI. Domain name is identical and confusingly similar to the protected rights of the Complainant

VII. Rights or legitimate interests of the Respondent (B(11)(f) ADR Rules):
1. No

2. Why: The Complainant has made out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The burden of proof has shifted to the Respondent to prove that he has relevant rights or legitimate interests. The Complainant has submitted that the disputed domain name was registered by the Respondent without its authorization and that the Respondent impersonated the Complainant's legal representative in the Whois records of the disputed domain name and in email communications sent to third parties from email addresses based on the disputed domain name. Use of a domain

name for illegal activities such as impersonation does not confer legitimate interests.

The Respondent has not filed a Response nor submitted any evidence to show he has any rights or legitimate interests in the disputed domain name.

VIII. Bad faith of the Respondent (B(11)(e) ADR Rules):
1. Yes
2. Why: The following elements have been considered as evidence of bad faith registration and use of the disputed domain name: (a) the Respondent's knowledge of the Complainant's trademark at the time of registration of the disputed domain name, (b) the fact that the disputed domain name was used for email communication purposes to send email communications impersonating the Complainant and its legal representative; and c) the fact that the Respondent registered the disputed domain name indicating false contact details.

IX. Other substantial facts the Panel considers relevant: None

X. Dispute Result: Transfer of the disputed domain name

XI. Procedural factors the Panel considers relevant: None

XII. Is Complainant eligible? Yes