Decision for dispute CAC-UDRP-107713

Case number	CAC-UDRP-107713
Time of filing	2025-07-07 08:46:47
Domain names	skoda.life

Case administrator

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

Complainant

Organization	Škoda Auto a.s.

Complainant representative

Name	JUDr. Jiří Čermák advokát

Respondent

Organization	Domain Name Privacy Inc.

OTHER LEGAL PROCEEDINGS

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

IDENTIFICATION OF RIGHTS

The Complainant, conducting business under the company / trade name Škoda Auto a.s., owns numerous trademarks including the wording “ŠKODA” (with the caron/ˇ over the “S”) and “SKODA” (without diacritics), registered in several countries, such as:

- The international trademark "ŠKODA" (word) no. 1365585, registered since 7 April 2017 for goods in the international class 12;
- The international trademark "ŠKODA" (figurative) no. 1476367, registered since 30 November 2018 for goods and services in the international classes 9, 12, 36, 37, 38 and 39;
- The EU trademark "ŠKODA" (figurative) no. 017991862, registered since 2 August 2022 for goods and services in the international classes 9, 12, 36, 37, 38, and 39;
- The EU trademark "ŠKODA" (figurative) no. 017874242, registered since 19 August 2022 for goods and services in the international classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;
- The international trademark "SKODA" (word) no. 1709710, registered since 3 November 2022 for goods and services in the international classes 9, 12, 35, 36, 37, 38 and 39;
- The international trademark "SKODA" (figurative) no. 1709638, registered since 3 November 2022 for goods and services in the international classes 6, 14, 16, 18, 21, 24, 25, 26 and 28.

The above-mentioned rights of the Complainant are hereinafter referred to as the SKODA Trademark.

FACTUAL BACKGROUND

The Complainant is a joint-stock company incorporated in the Czech Republic and the country's largest automobile manufacturer. Its history goes back more than 120 years to Laurin & Klement, which became part of Škodovy závody in 1925, with the first SKODA automobile launched in 1928. Headquartered in Mladá Boleslav, with additional plants in Kvasiny and Vrchlabí, the Complainant is the Czech Republic's largest company by revenue, exporter, and employer. Since joining the Volkswagen Group in 1991, it has strengthened its position in the European and global automotive market, with SKODA vehicles sold worldwide through an extensive network of sales agencies.

The Respondent is Domain Name Privacy Inc., located in Cyprus.

The disputed domain name <skoda.life> was registered on 25 October 2024 and resolves to a parking page with third-party links related to the automotive industry.

The facts asserted by the Complainant are not contested by the Respondent.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to succeed in the administrative proceeding:

(i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights; and
(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) the disputed domain name has been registered and is being used by the Respondent in bad faith.

I. THE COMPLAINANT'S RIGHTS AND THE IDENTITY OR CONFUSING SIMILARITY OF THE DISPUTED DOMAIN NAME TO THE COMPLAINANT'S MARK

The Complainant has established rights in the SKODA Trademark.

The disputed domain name consists of the term "SKODA" together with the generic top-level domain (gTLD) ".life".

Under the UDRP, the comparison is between the mark and the second-level portion of the domain name; the TLD is generally disregarded as a registration requirement. The practice of ignoring the TLD in determining identity or confusing similarity is applied irrespective of the particular TLD, including with regard to new gTLDs; the ordinary meaning ascribed to a particular TLD would not necessarily impact assessment of the first element.

Domain names cannot include diacritical characters; accordingly, the Complainant's "ŠKODA" mark appears in domain names as "SKODA".

UDRP panels consistently hold that the removal of diacritics, punctuation, or spaces does not avoid a finding of identity or confusing similarity. Where, as here, the domain name wholly incorporates the mark and the mark remains clearly recognizable, the first element is satisfied.

Accordingly, the Panel finds that paragraph 4(a)(i) of the Policy is met: the disputed domain name is identical to the Complainant's trademark.

II. THE RESPONDENT'S LACK OF RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

Under paragraph 4(a)(ii) of the Policy, the Complainant bears the burden of establishing that the Respondent has no rights or legitimate interests in respect of the disputed domain name. Once the Complainant makes a prima facie case, the burden of production shifts to the Respondent to demonstrate rights or legitimate interests in the domain name.

The Respondent has been identified as Domain Name Privacy Inc., located in Cyprus. There is no evidence that the Respondent, whether as an individual, business, or other organization, has been commonly known by the disputed domain name or has acquired any rights in a trademark or trade name corresponding to it.

The Complainant asserts that it has no relationship whatsoever with the Respondent. The Respondent has never received any approval—express or implied—from the Complainant to use its trademark or to register or use the disputed domain name.

The disputed domain name was registered on 25 October 2024, well after the Complainant's SKODA Trademark. It is identical to such mark.

UDRP panels have found that domain names identical or confusingly similar to a complainant’s trademark carry a high risk of implied affiliation.

Furthermore, the Complainant has submitted evidence showing that the disputed domain name resolves to a parking page with pay-per-click (PPC) links related to the Complainant's industry (automotive). Such conduct, rather than indicating any legitimate business activity, appears intended to create confusion or suggest an affiliation with the Complainant.

In light of the above, the Panel finds no indication that, prior to notice of the dispute, the Respondent used—or made demonstrable preparations to use—the disputed domain name, or any corresponding name, in connection with a bona fide offering of goods or services. On the contrary, the available evidence points to an attempt to mislead Internet users, divert traffic, or exploit the Complainant’s reputation. These actions fall well outside the scope of legitimate non-commercial or fair use under the Policy.

While the Complainant has established its prima facie case, the Respondent has not submitted a Response to the Complaint and, thus, has failed to invoke any of the circumstances, which could demonstrate any rights or legitimate interests in the disputed domain name.

Accordingly, the Panel concludes that the Complainant has met the second requirement under paragraph 4(a) of the Policy, and finds that the Respondent lacks rights or legitimate interests in the disputed domain name.

III. THE REGISTRATION AND THE USE OF THE DISPUTED DOMAIN NAME IN BAD FAITH

The Complainant has sufficiently demonstrated ownership of rights in the prior and well-known SKODA Trademark, which has been registered since 2017.

The disputed domain name is identical to the Complainant's SKODA Trademark.

UDRP panels have consistently found that the mere registration of a domain name identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity may, by itself, give rise to a presumption of bad faith.

Given the distinctiveness and longstanding reputation of the SKODA Trademark, it is inconceivable that the Respondent registered the disputed domain name by coincidence, without actual knowledge of the Complainant's rights. On the contrary, the circumstances strongly indicate an intent to exploit the Complainant's reputation and divert Internet traffic from the Complainant's legitimate website.

The disputed domain name resolves to a parking page with PPC links. While the sale of traffic (i.e., connecting domain names to parking pages and earning click-per-view revenue) does not in and of itself constitute bad faith, in the present case, considering that the webpage associated to the disputed domain name contains PPC links related to the industry in which the Complainant operates

(automotive), the Panel finds that, by registering and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of its website or a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Complainant has satisfied its burden of proof under paragraph 4(a)(iii) of the Policy.

Therefore, the Panel orders that the disputed domain name be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **skoda.life**: Transferred

PANELLISTS

Name	**Ivett Paulovics**

DATE OF PANEL DECISION 2025-08-25

Publish the Decision