# Decision for dispute CAC-UDRP-108016

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| Case number | CAC-UDRP-108016 |
| Time of filing | 2025-10-06 14:29:06 |
| Domain names | solvay.global |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | Solvay S.A. |

## Complainant representative

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| Organization | Novagraaf Belgium |

## Respondent

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| Name | rajwinder singh |

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 owns a large portfolio of trademarks including the word “SOLVAY” in several countries, such as the international trademark “SOLVAY” n°1171614, registered since February 28, 2013 and the European Union trademark “SOLVAY” n°000067801 registered since May 30, 2000.

FACTUAL BACKGROUND

The Complainant SOLVAY SA, which was founded in 1863, is a science company, operates in chemicals and materials such as high-performance polymers and composite technologies, providing solutions and applications in many sectors such as agriculture, personal care, healthcare, consumer food, automotive, aerospace or electronics. The Complainant is headquartered in Brussels and owns offices and production sites in more than 60 countries, employing about 22.000 people. In 2022, the Complainant’s net sales reached 13.4 billion Euros.

The Complainant holds many trademark registrations including “SOLVAY” phrase going back to at least 2000 and the Complainant also holds the domain names bearing “SOLVAY”, such as <solvay.com> registered in March 21, 1995 and others such as <solvay.be> or <solvay.us>.

On July 25, 2025; the Respondent registered the disputed domain name <solvay.global>. The disputed domain name is currently

inactive.

PARTIES CONTENTIONS

THE DISPUTED DOMAIN NAME IS IDENTICAL

The Complainant states that the disputed domain name is highly similar to the Complainant's trademark "SOLVAY", as it bears the Complainant's trademark as a whole.

Furthermore, it is argued that the top-level domain "global" increases the risk of confusion for internet users, since it may suggest that the domain name refers to the Complainant's worldwide operations or official global website. In any case, it is a standard registration requirement.

NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant states that the Respondent is neither affiliated nor authorized by the Complainant in any way and neither license nor authorization has been granted to the Respondent to use the Complainant's trademarks "SOLVAY".

The Respondent has no rights on the disputed domain names as the Respondent is not known as the disputed domain names and as the Respondent does not hold any trademark or domain name with "SOLVAY".

The Complainant also claims that its trademark is well-known and the awareness of the trademark among the public is considerable.

The Complainant argues that the Respondent is not using the disputed domain name in connection with bona fide offering of goods or services or a legitimate non-commercial or fair use.

THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS USED IN BAD FAITH

The Complainant states that the disputed domain name is identical to its well-known trademark SOLVAY and it is a fanciful and invented sign of which the distinctive character has been enhanced significantly throughout the years as a result of the extensive use and promotion of the trademark in relation to the Complainant's world-renowned global activities in advanced materials, specialty chemicals, and sustainable technologies, including recycling solutions. Thus, it is stated that given the distinctiveness of the Complainant's trademark and its reputation, the Respondent has registered and used the domain name with full knowledge of the Complainant's trademark. The case of WIPO Case No. D2023-0235, Solvay SA v. Name Redacted was given as a reference ("the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith." The Complainant's SOLVAY mark has acquired considerable goodwill and renown worldwide. The Respondent is, therefore, presumed to have registered and used the Domain Name in bad faith".").

Also, the case of WIPO Case No. D2023-4681 Solvay SA v. Ximin Dong, Hong Kong Qineasy Technology Limited was given as a reference ("Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding.") to support the claim of bad faith.

The Complainant asserts that the absence of active use as well as the high degree of distinctiveness and reputation of SOLVAY are elements that would not prevent a finding of bad faith use under the doctrine of passive holding given the overall circumstances of the case.

Finally, it was claimed that the disputed domain name has active MX records, which entails that the Respondent can send emails through the email address @solvay.global. The Respondent can therefore use (or may already have used) the disputed domain name to send fraudulent emails such as messages containing spam, phishing attempts, etc.

The Complainant argues that the SOLVAY trademark being identical to the disputed domain name gives the impression that <solvay.global> or the related email address (@solvay.global) is controlled by the Complainant or are at least associated with it. That confusion may result in reputational harm for the Complainant and serious financial consequences for the Internet users.

Accordingly, the Complainant alleges that the disputed domain name was registered and is being used in bad faith.

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

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a Complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

1. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy simply requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the owner of registration of “SOLVAY” trademark.

The Panel finds that the disputed domain name is identical to the Complainant’s “SOLVAY” trademark.

Moreover, the addition of the TLD “.GLOBAL” is not enough to abolish the identity.

The Panel is of the opinion that the Internet users will easily fall into false impression that the disputed domain name is an official domain name of the Complainant. The Panel recognizes the Complainant's rights and concludes that the disputed domain name is identical with the Complainant's trademark. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy is provided.

2. NO RIGHTS OR LEGITIMATE INTERESTS

Under paragraph 4(a)(ii) of the Policy, the complainant has the burden of establishing that the respondent has no rights or legitimate interests in respect of the domain name.

It is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the respondent of the dispute, the use or making demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) the respondent of the dispute (as an individual, business, or other organization) has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or

(iii) the respondent of the dispute is making a legitimate non-commercial or fair use of the domain name, without an intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if the respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the disputed domain name, the complainant will have failed to discharge its burden of proof and the complaint will fail. The burden is on the complainant to demonstrate a prima facie case that the respondent does not have rights or legitimate interests in the disputed domain name. Once the complainant has made out a prima facie case, then the respondent may, inter alia, by showing one of the above circumstances, demonstrate rights or legitimate interests in the disputed domain name.

It is understood from the explanations of the Complainant that the Respondent and the Complainant have no relationship or agreement on the use of the disputed domain name. In the absence of a response, the Panel considers that the Respondent has no authorization to use the Complainant's trademarks in the disputed domain name.

Hence, as the Complainant has made out its prima facie case, and as the Respondent has not demonstrated any rights or legitimate interests as illustrated under paragraph 4(c) of the Policy, nor has the Panel found any other basis for finding any rights or legitimate interests of the Respondent in the disputed domain dame, the Panel concludes that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. BAD FAITH

The Panel concludes that the Complainant's "SOLVAY" trademark is of distinctive character and has a certain reputation. Therefore, the Panel is of the opinion that due to the earlier rights of the Complainant in the "SOLVAY" trademark, the Respondent, was aware of the Complainant and its trademarks at the time of registration of the disputed domain name (see e.g., Ebay Inc. v. Wangming, WIPO Case No. D2006-1107). Referring to Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net, WIPO Case No. D2000-0226, the Panel believes that the awareness of the Complainant's trademark at the time of the registration of the disputed domain name is to be considered an inference of bad faith registration.

Moreover, the disputed domain name is currently invalid. Even if there is no present use of the disputed domain name, the fact that there is also MX record connected to the disputed domain name suggests that the Respondent will not be able to make any use of the disputed domain name in good faith, since it is neither affiliated to nor authorized by the Complainant. Besides, regarding inactive domain names, section 3.3 of the WIPO Overview 3.0 provides the following: "From the inception of the UDRP, panellists have found that the non-use of a domain name (including a blank or 'coming soon' page) would not prevent a finding of bad faith under the doctrine of passive holding. While panellists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put."

All the circumstances of the case must be examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include the Complainant having a well-known trade mark, no response having been filed, and the disputed domain name being inactive and MX record set up, which all happened in this case.

Therefore, in light of the above-mentioned circumstances in the present case, the Panel finds that the disputed domain name has been registered and is being used in bad faith and that the Complainant has established the third element under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **solvay.global**: Transferred

## PANELLISTS

| Name | **Mrs Selma Ünlü** |
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DATE OF PANEL DECISION 2025-11-18

Publish the Decision