DISPUTE RESOLUTION SERVICE DECISION

Airbag Service Ltd v. Gold-Car Michal Dorobisz
Case No. DUK2026-0063

1. The Parties

1.1. The Complainant is Airbag Service Ltd, United Kingdom ('UK'), represented internally.

1.2. The Respondent is Gold-Car Michal Dorobisz, Poland.

2. The Domain Name and Registry

2.1. The Registry of the disputed domain name(s) <airbag-service.co.uk> is Nominet UK ("Nominet" or the "Registry").

3. Procedural History

3.1. The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on 24 August 2026. On 25 August 2026, the Center transmitted by email to the Registry a request for registry verification in connection with the disputed domain name. On 26 August 2026, the Registry transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent ("Unknown registrant of airbag-service.co.uk") and contact information in the Complaint. The Center sent an email communication to the Complainant on 26 August 2026, inviting the Complainant to submit an

amendment to the Complaint. The Complainant filed an amended Complaint on 26 August 2026.

3.2. The Center verified that the Complaint satisfied the formal requirements of the Dispute Resolution Service (the ”Policy” or ”DRS Policy”).

3.3. In accordance with the Policy, paragraphs 3 and 6, the Center formally notified the Respondent of the Complaint on 27 August 2026. In accordance with the Policy, paragraph 7, the due date for Response was 18 September 2026. The Response was filed with the Center on 17 September 2026. The Respondent sent email communications to the Center on 26 August and 18 September 2026.

3.4. In accordance with the Policy, paragraph 9, the due date for the Complainant’s Reply was 28 September 2026. The Complainant submitted a Reply on 25 September 2026.

3.5. The Parties were sent to mediation 29 September 2026. The Registry confirmed the mediation was unsuccessful on 12 October 2026.

3.6. The Complainant paid the fee for an expert decision on 21 October 2026.

3.7. The Center appointed Peter Davies as the Expert in this matter on 28 October 2026. The Expert finds that it was properly constituted. The Expert has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Policy, paragraph 15.

On 17 October 2026 the Complainant obtained permission to make a further submission in support of its Complaint. This submission related to its formal objection to the registration of the Respondent’s Company name sent to Companies House, the relevant UK Government department, on 7 October 2026. The objection asserted that the Respondent’s registered company name AIRBAG-SERVICE.PL LTD was ‘too like’ the Complainant’s ‘AIRBAG SERVICE LTD’. On 12 October 2026 Companies House accepted the objection, confirming that it had been considered under section 67(1) of the Companies Act 2006 and that a Direction had accordingly been issued to the Respondent requiring it to change its name.

4. Factual Background

The Complainant, Airbag Service Ltd, is a UK company, supplying vehicle airbag components and related repair, maintenance and installation services. It has been registered with Companies House since 11 February 2019, registration number 11818388. The Complainant conducts its business under this company name and through its website, <airbagservice.co.uk>.

The Complainant is the proprietor of a figurative UK trade mark UK00004085801, registered on 1 November 2024. The protected image is of the words AIR and BAG with the letter A in BAG replaced by a design depicting a seated figure in profile, wearing a seat belt and facing an open airbag, while approximating to a recognisable letter A.

The Respondent is identified as Gold-Car Michal Dorobisz trading as 'AIRBAG SERVICE'. No information is provided concerning the precise legal status of the Respondent as a trading entity. The proprietor of this company, and author of its Response to this Complaint, is Mr Michal Dorobisz, who explains that he operates a business in Poland and seeks to expand his operations in the United Kingdom. The Respondent's registration of the disputed domain name, (hereinafter 'the Domain Name'), is a step in this proposed expansion. References to the Respondent in this Decision shall be to the trading entity 'Gold-Car Michal Dorobisz' or to Mr Dorobisz personally, as the context requires.

The Domain Name was registered on 3 July 2026. It resolves to the Respondent's website which features its trading name 'AIRBAG SERVICE.

5. Parties' Contentions

Complainant

The Complainant states that it has conducted business under the name 'AIRBAG SERVICE LTD' since 2019, that it is the holder of a registered trademark depicting its brand name and corporate identity, and the proprietor of the domain name <airbagservices.co.uk>.

The Complainant alleges that the Domain Name, registered by or on behalf of the Respondent, differs from its own domain name by the insertion of a single hyphen between the words 'air' and 'bag' and that the Domain Name resolves to a site which advertises products and services which are identical or very similar to those of the Complainant. This use of the Domain Name, argues the Complainant, misleadingly suggests a connection between the Parties.

The Complainant points out that the Respondent has also created a Google Maps listing using the hyphenated name as it appears in the Domain Name which further supports the misleading suggestion that it either refers to the Complainant, or that the Respondent is an associated company or a branch of the Complainant company.

The Complainant confirms that it has not authorized or licensed the Respondent to use its corporate name or brand identity.

The Complainant refers to the fact that the Respondent's website also refers to 'Gold Car' and 'Goldcar Regeneration', suggesting that its actual trading name differs from that depicted in the Domain Name.

The Complainant states that it received "no substantivesatisfactory response" to its request to desist from use of its trading name and to cease using the Domain Name.

The Complainant submits, in summary, that the Domain Name is being used to create customer confusion and is designed to take unfair advantage of its commercial reputation.

Respondent

The Respondent states that he registered the Domain Name on 3 July 2026 because it was available and that it was descriptive of the services provided by his company. The registration of the Domain Name was a step in the expansion of the Respondent's Polish business, 'Gold Car Regeneracja', into the UK market.

The Respondent insists that the Domain Name supports a genuine offering of goods and services and denies that he registered the Domain Name aiming to sell it to the Complainant, blocking the Complainant from registering it, disrupting the Complainant's business or impersonating the Complainant.

The Respondent submits evidence of his use of other country-specific domain names incorporating the expression 'airbag-service' in Italy, France, Czech Republic, Belgium and Romania. The Respondent maintains that these registrations are connected to his international business activities and show that his use of the term 'airbag-service' is beyond the UK and unconnected to this dispute.

The Respondent submits evidence of Google searches for his business to support the proposition that the Domain Name is put to genuine commercial use, and not as a passive or blocking registration. The Respondent points out that his Gold Car corporate name is visible on the Domain Name website alongside the 'AIRBAG SERVICE' identification of his services. It is further emphasized that the Gold Car logo, a motor car shape in profile, can be seen on the same page. The Respondent asserts that this illustrates the link between the Respondent and the Domain Name,

which contradicts the suggestion in the Complaint that the Respondent is deliberately obscuring his real identity.

The Respondent argues that the words ‘airbag service’ have an obvious meaning in the automotive sector and describe exactly the nature of the services he offers in his business. The Respondent acknowledges that the Complainant has established goodwill in its name in the course of trade, but contends that this fact does nothing to support an allegation that the Domain Name in his hands takes unfair advantage of the Complainant. The Respondent maintains that his use of the Domain Name is based entirely upon its descriptive accuracy, when applied to his business, and claims that he had no knowledge of the Complainant and, therefore, did not select the Domain Name with an intention to profit from the Complainant’s goodwill.

The Respondent refers to a Google Business Profile which uses the name ‘Airbag-Service Ltd’ and to promotional artwork containing ‘AIRBAG SERVICE’ and an airbag pictogram which reproduces one element from the Complainant’s figurative mark: a stylised seated figure seen in profile facing an airbag. The Respondent claims that he did not create this profile, which was created by AIRBAG-SERVICE.PL Ltd, a separate company with which the Respondent intended to co-operate. Screenshot evidence is provided showing the relevant account and profile management pages on Google. These materials illustrate the Respondent’s argument that his business ‘Gold Car’ and ‘Air-Bag Service Ltd’ are separate undertakings. A statement from the owner of Air-Bag Ltd is submitted in evidence, confirming that he is the owner of the business profile on Google.

The Respondent acknowledges and does not dispute the Complainant’s figurative trademark, but argues that it does not automatically give the Complainant exclusive rights over every descriptive use of the words ‘AIRBAG SERVICE’ which are incorporated in the figurative design. The Respondent explains that the airbag warning/control pictogram appearing in the Google Business Profile is a commonly used automotive safety symbol which is used in vehicle interiors, manuals, safety information and elsewhere. The Respondent maintains that it is not evidence that he copied or attempted to imitate the Complainant’s figurative mark.

The Respondent states that he did not receive the Complainant’s 5 August 2026 email “in a manner that enabled [him] to understand the substance of the allegations at that time” and maintains that he did not deliberately disregard the Complainant’s communication.

Complainant’s Reply to the Response

The Complainant exercised its right to submit a Reply to the Response, addressing the Respondent’s account of its similar country code domain names, which make use of the same hyphenated version of the Complainant’s trading name. This information explains the Respondent’s broader naming pattern, but it does not address the use of

the Domain Name in the UK, the issue of its fairness or its prejudice to the Complainant, nor the likelihood of confusion arising from its use.

The Complainant further argues that the Respondent's submissions that it acquired the Domain Name because it was descriptive of its services and that he was unaware of the Complainant's existence at the time of its acquisition, are concerned solely with the Respondent's actions at the time of the Domain Name's registration. The Complainant emphasises that its Complaint is based mainly upon the Respondent's subsequent use of the Domain Name. The Complainant insists that, while accepting that the words in the Domain Name are potentially descriptive, their use in the UK, and more precisely in direct competition with the Complainant, is not acceptable.

The Complainant addresses the Respondent's reliance upon its use of the 'GOLD CAR' logo, presented in the sponsored results, identifying the operator. Screenshots submitted in evidence by the Respondent nevertheless show the advertiser's name as 'AIRBAG-SERVICE', immediately above the Domain Name. The Complainant maintains that the 'GOLD CAR' logo is a small circular image which does not distract from the conspicuous use of the words in the Domain Name.

The Complainant refers to the Respondent's mention of another company, AIRBAG-SERVICES.PL LTD, and its Google Business Profile. The Respondent, says the Complainant, fails to explain the nature of its association with this company or describe the division of responsibilities between them in their UK-facing business. The Complainant maintains that the Google Business Profile and the Domain Name's presence on it, remain relevant to the consideration of customer confusion associated with the Respondent's use of the Domain Name.

In the context of the Google Business Profile web page, the Complainant also notes the Respondent's claim that it did not design the promotional pictogram and argues that the creation of this graphic is not central to the complaint. The Complainant insists that the relevance of this figurative image is its appearance alongside the Domain Name and the Respondent's name, which echoes that of the Complainant, and supports the argument that customer confusion is very likely.

The Reply concludes with the Complainant's overall assessment of the Response, accepting that evidence was provided of a separate company, 'Gold Car', which is associated with the Respondent, and part of an international domain-naming strategy. This evidence does not address the Complainant's basic case, which is that use of the Domain Name in this context may still be abusive, where customer confusion results in detriment to the Complainant, or unfair advantage accruing to the Respondent.

6. Discussion and Findings

DRS Policy

To succeed under the DRS Policy, the Complainant must prove, on the balance of probabilities, that it has rights in respect of a name or mark that is identical or similar to the Domain Name (paragraph 2.1.1 of the Policy), and that the Domain Name is an abusive registration in the hands of the Respondent (paragraph 2.1.2).

Rights are defined in Paragraph 1 of the DRS Policy as:

"rights enforceable by the Complainant, whether under English law or otherwise, and may include rights in descriptive terms which have acquired a secondary meaning";

Elsewhere in Paragraph 1 of the Policy, Abusive Registration is defined as

"a Domain Name which either:

(i) was registered or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's Rights; or

(ii) is being or has been used in a manner which has taken unfair advantage of or has been unfairly detrimental to the Complainant's Rights."

Paragraph 5 of the Policy sets out a non-exhaustive list of factors which may be evidence that the Domain Name is an Abusive Registration. I set out below as follows:

"5.1.1 Circumstances indicating that the Respondent has registered or otherwise acquired the Domain Name primarily:

[5.1.1.1 - 5.1.1.2]…

5.1.1.3 for the purpose of unfairly disrupting the business of the Complainant;

5.1.2 Circumstances indicating that the Respondent is using or threatening to use the Domain Name in a way which has confused or is likely to confuse people or businesses into believing that the Domain Name is registered to, operated or authorised by, or otherwise connected with the Complainant;

[5.1.3 -5.1.5]…

5.1.6 The Domain Name is an exact match (within the limitations of the character set permissible in domain names) for the name or mark in which the Complainant has Rights, the Complainant's mark has a reputation and the Respondent has no reasonable justification for having registered the Domain Name".

Paragraph 8 of the DRS Policy provides a non-exhaustive list of factors which may be evidence that the Domain Name is not an Abusive Registration. The relevant sections of this paragraph, relied upon by the Respondent are as follows:

"8.1.1 before being aware of the Complainant's cause for complaint (not necessarily the 'complaint' under the DRS), the Respondent has:

8.1.1.1 used or made demonstrable preparations to use the Domain Name or a domain name which is similar to the Domain Name in connection with a genuine offering of goods or services;

8.1.1.2 been commonly known by the name or legitimately connected with a mark which is identical or similar to the Domain Name; or

[8.1.1.3] …

8.1.2 The Domain Name is generic or descriptive and the Respondent is making fair use of it".

Complainant's Rights

The Complainant is the owner of a registered figurative trademark, described in Paragraph 4 above. The Respondent insists that the words featured in the mark are descriptive and their use cannot be exclusively within the Complainant's rights. The Respondent also argues that the pictorial image in the Complainant's mark is a widely recognised symbol, used in many contexts related to automotive safety. While there may be room for debate about this matter, the validity of the Complainant's registered mark is a matter which falls outside the scope of this decision. Should there be doubt about the Complainant's reliance upon its registered trademark in establishing its Rights, evidence is submitted which shows that it has been trading under the name 'AIRBAG SERVICE' for a significant amount of time before the registration of the Domain Name, and can claim unregistered rights in this name arising from goodwill acquired in the course of trade. It is frequently observed that the Rights test in the Nominet DRS policy is intended to be a relatively low bar, representing a *bona fide* basis for bringing a complaint. I find that the Complainant has the necessary rights in this case.

Abusive Registration

Neither Party has expressed its case with specific reference to the terms of the DRS Policy. It has thus been my job to map what each Party has argued against the relevant provisions of the Policy. Setting aside its reliance upon its registered trademark, the Complainant focuses upon its assertions that:

i. the inevitable disruption to its business interests caused by a direct competitor using the Domain Name within the contemplation of paragraph 5.1.1.3 of the DRS Policy and

ii. the likelihood of customer confusion arising from the Respondent 's use of the Domain Name to deceive internet users by impersonating the Complainant or suggesting a commercial connection with the Complainant, as set out in paragraph 5.1.2 of the DRS Policy.

The Respondent briefly addresses the Complainant's registered trademark, arguing that it depends upon two lexical items, which are precisely descriptive of the business activities of both Parties, and a pictorial rendition of a seated figure facing an automobile airbag, which is widely used in this context. Beyond this matter, I infer that the Respondent seeks to show that it:

i. "used or made demonstrable preparations to use the Domain Name or a domain name which is similar to the Domain Name in connection with a genuine offering of goods or services" as provided by Paragraph 8.1.1.1 of the DRS Policy and

ii. "has been commonly known by the name or legitimately connected with a mark which is identical or similar to the Domain Name" pursuant to Paragraph 8.1.1.2 of the DRS Policy.

The screenshot evidence submitted by both Parties in support of these opposing positions illustrates the self-evident similarity between Domain Name <airbag-services.co.uk> and the Complainant's trading name 'AIRBAG SERVICE LTD'.

The Respondent has submitted evidence of its trading name 'Gold Car', which features prominently on the Respondent's Domain Name website. The relationship between this trading name and the Domain Name is described by the Respondent as follows:

"I already operate an established business in Poland under the name Gold Car Regeneracja. [The Domain Name] was intended as part of a genuine expansion of that existing business into the UK market."

The Respondent's use of the 'Gold Car' name in conjunction with the name 'Airbag-Services', as it features in the Domain Name, may have been intended to distance its online presence from that of the Complainant. This would, however, support an argument casting doubt upon the Respondent's claim that, when registering the Domain Name, it was unaware of the Complainant's existence. It is hard to prove a negative, but the Complainant is an established operator in a closely defined market, and it is reasonable to conclude that the Respondent would have at least constructive knowledge of the Complainant's grounds for complaint.

In describing its corporate structure and its plans to extend its business into the UK market, the Respondent refers to AIRBAG-SERVICES.PL Ltd, which the Respondent describes as "a separate company with which I intended to cooperate".

The reasoning behind this corporate collaboration is unclear, and the evidence which refers to it does little to throw light upon the Respondent's choice of the Domain Name beyond a simple reliance upon its descriptive accuracy. Consideration of the Respondent's motives in registering the Domain Name is difficult when seen against the background of an alternative trading name, 'Gold Car', and the name of a legally separate business partner 'AIRBAG-SERVICES.PL Ltd', which uses the same descriptive terms which are echoed in the Domain Name.

The Domain Name may have been available and descriptive of its business services as the Respondent argues but, on the balance of probabilities, I conclude that customer confusion and potential disruption to the Complainant's business are likely consequences of this registration. Several submissions in the Response are directed towards Paragraph 8 of the DRS Policy, a non-exhaustive list of factors which may be evidence that the Domain Name is not an Abusive Registration.

In the introduction to the Response the Respondent says:

"I already operate an established business in Poland under the name Gold Car Regeneracja. The UK domain was intended as part of a genuine expansion of that existing business into the UK market."

Evidence is also submitted in support of the Respondent's wide-ranging registration of domain names using the expression 'airbag-services' in several national registries beyond the United Kingdom. The Respondent seeks to show that its actions were "in connection with a genuine offering of goods or services", as provided by Paragraph 8.1.1.1 of the DRS Policy. I accept that the Respondent may indeed have been making preparations for such an offer. However, it is necessary to point to the introductory words of paragraph 8.1.1 as follows:

"8.1.1 Before being aware of the Complainant's cause for complaint (not necessarily the 'complaint' under the DRS), the Respondent has:

8.1.1.1 used or made demonstrable preparations to use the Domain Name or a domain name which is similar to the Domain Name in connection with a genuine offering of goods or services."

From the submissions before me, I have concluded on the balance of probabilities, (see above), that the Respondent knew, or should have known, or is likely to have known of the Complainant and its cause for complaint. Accordingly, I do not think the Respondent can seek the protection of this paragraph 8.1.1 of the DRS Policy.

7. Decision

For the foregoing reasons, in accordance with paragraph 18 of the Policy, the Expert orders that the disputed domain name <airbag-services.co.uk> be transferred to the Complainant.

Peter Davies
Expert
Date: 19 November, 2026