



DECISION OF THE THIRD-PARTY DECIDER

Midea Group Co., Ltd / AirSain CPO

Case no. 444272/ comfee.be

1. The Parties

1.1.1 Complainant:

Midea Group Co., Ltd

With registered office in Beijiao, Shunde, Foshan, Guangdong, P.R. China

Represented by: Corporation Service Company (CSC), Sweden

1.1.2 Domain Name Holder:

AirSain CPO BV

With registered office at Bronsstraat 11, 6031 TS Nederweert, Netherlands

Represented by: N/A

2. Domain name

Domain name: comfee.be

Registered on: 6 May 2024

Hereafter referred to as "**the Domain Name**".

3. Procedure

- On 21 April 2026, Complainant filed a complaint (the "**Complaint**") with the Belgian Centre for Arbitration and Mediation ("**CEPANI**") concerning the Domain Name ("comfee.be") pursuant to the "CEPANI Rules for Domain Name Dispute Resolution" (the "**CEPANI Rules**") and the "Dispute Resolution Policy" of the terms and conditions for domain name registration under the ".be" top-level domain operated by DNS.be (the "**DNS Policy**"). Complainant did not first offer Domain Name Holder the possibility to voluntarily proceed with the execution of the relief sought.
- The Complaint seeks to obtain the transfer of the Domain Name, which was registered by Domain Name Holder on 6 May 2024, to Complainant.
- Domain Name Holder was notified of the Complaint and invited to reply.
- On 8 May 2026, Domain Name Holder submitted an informal message via the CEPANI contact form (the "**Response**"). Domain Name Holder did however not file a formal response in the sense of the CEPANI Rules.



- On 29 May 2026, CEPANI appointed the Third-Party Decider to settle the dispute concerning the Domain Name. The Third-Party Decider accepted the instruction.
- Pursuant to Article 13 of the CEPANI Rules, the deliberations were closed on 5 June 2026.
- On 19 June 2026, the Third-Party Decider communicated, in accordance with article 11.3 of the CEPANI Rules, that the deadline for the decision was exceptionally postponed to 25 June 2026.

4. Factual Background information

The case file shows the following facts:

- Complainant is an electrical appliance manufacturer, headquartered in China. Established in 1968, Midea is a publicly listed company that offers a wide range of home appliances, specializing in air conditioning, refrigeration, laundry, large cooking appliances, large and small kitchen appliances, water appliances, floor care and lighting.¹
- COMFEE, part of Midea's multi-brand family, operates globally with a presence in Europe, the Americas and elsewhere. COMFEE's kitchen and water heating appliances promote a "Comfort that you can Feel" lifestyle. The latter slogan is the origin of the COMFEE brand and trademark.²
- Complainant holds trademark registrations across various jurisdictions for the "COMFEE" brand, including an EU trademark (no. 018012393) registered on 23 May 2019.³
- Complainant's COMFEE brand operates via its official website at "www.feelcomfee.com" with a variety of domain names incorporating the COMFEE trademark in the portfolio of the Group to which it belongs, including 'comfee.eu', 'comfee.it' and 'feelcomfee.com'.⁴
- The Domain Name was registered on 6 May 2024 by Domain Name Holder. At the moment the Complaint was filed, the Domain Name resolved to an inactive website.⁵
- At the moment this decision was rendered, the Domain Name however linked through to 'feelcomfee.com', a domain owned by Complainant.
- Domain Name Holder offers for sale air conditioning and filtering units and is therefore a direct competitor of Complainant.⁶
- In addition to the Domain Name, Domain Name Holder currently holds at least two other domain names: 'feelcomfee.at' and 'comfee.at'.⁷

¹ Complainant's Annex 7.

² Complainant's Annex 7.

³ Complainant's Annex 2.

⁴ Complainant's Annexes 5 and 6.

⁵ Complainant's Annex 4.

⁶ Complainant's Annex 9.

⁷ Complainant's Annex 10.



5. Position of the parties

Position of the Complainant

Complainant requests the Third-Party Decider to order the transfer of the Domain Name to the Complainant, claiming that all three cumulative conditions set out in Article 10(b)(1) of the DNS Policy are met.

Complainant's arguments can be summarized as follows:

1. The Domain Name is identical to Complainant's trademark, as the Second-Level Domain consists solely of Complainant's COMFEE trademark. Country code top-level domains such as ".be" do not affect the determination of identity or confusing similarity.
2. Domain Name Holder is not sponsored by or affiliated with Complainant in any way, nor has Complainant given Domain Name Holder permission to use Complainant's trademarks in any manner, including in domain names.
3. The publicly available Whois information identifies Domain Name Holder as AirSain CPO BV, which does not resemble the Domain Name. Domain Name Holder is using the Domain Name to direct Internet users to an inactive website, evidencing a lack of rights or legitimate interests.
4. By registering a domain name solely composed of Complainant's COMFEE trademark, Domain Name Holder has demonstrated knowledge of and familiarity with Complainant's brand and business. Further, Domain Name Holder appears to be a direct competitor of Complainant offering air conditioning and filtering units. In addition, Domain Name Holder holds at least two other domain names infringing on Complainant's COMFEE trademark ('feelcomfee.at' and 'comfee.at'), demonstrating a pattern of cybersquatting targeting Complainant. The Domain Name currently resolves to an inactive website, and passively holding a domain name can constitute a factor in finding bad faith registration and use.

Position of the Domain Name Holder

Domain Name Holder did not file a formal response in the sense of the CEPANI Rules.

On 8 May 2026, Domain Name Holder submitted an informal message via the CEPANI contact form.

On this basis, Domain Name Holder's arguments can be summarized as follows:

1. Domain Name Holder states that the Domain Name was registered because AirSain CPO BV has plans to sell products from Midea ("*Wij hebben dit domein geregistreerd omdat wij plannen hebben om producten van Midea te gaan verkopen*").
2. Domain Name Holder claims to have no bad intentions and states that, to "prove" this, the Domain Name has been redirected to 'feelcomfee.com', a domain held by Complainant ("*Wij hebben geen kwaad in onze zin, en omdat te 'bewijzen' hebben wij het domein nu doorverwezen naar feelcomfee.com*").



3. Domain Name Holder points out that many other "comfee" domain names are not owned by Complainant either, such as 'comfee.com', which is actively offered for sale. Domain Name Holder considers this to be more indicative of bad faith than registering a domain for future use.

6. Discussion and findings

Pursuant to Article 16.1 of the CEPANI rules for domain name dispute resolution, the Third-Party Decider shall rule on domain name disputes with due regard for the Policy and the CEPANI rules for domain name dispute resolution.

Pursuant to Article 10b (1) of the Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE, Complainant must provide evidence of the following:

- *"the registrant's domain name is identical or confusingly similar to a trademark, a trade name, a registered name or a company name, a geographical designation, a name of origin, a designation of source, a personal name or name of a geographical entity in which the complainant has rights; and*
- *the registrant has no rights or legitimate interests in the domain name; and*
- *the registrant's domain name has been registered or is being used in bad faith."*

In this regard, the Third-Party Decider wishes to emphasize that, in accordance with Article 10(b)(1) of the DNS Policy, a complainant must not only state or allege that the three cumulative conditions mentioned above are satisfied, but must also prove this. Only where this proof is provided, the compulsory transfer of a domain name can be ordered. As the decision to transfer a domain name is a restriction of the domain name holder's right to the domain name and its freedom of enterprise, such an order must remain an exceptional measure, which must be applied with caution.⁸

The domain name is identical or confusingly similar to trademarks in which the Complainant has rights

Complainant has established its ownership of the COMFEE trademark, registered as an EUTM since 23 May 2019 (No. 018012393), covering the territory of the entire European Union.⁹

The Domain Name ("comfee.be"), registered on 6 May 2024, is identical to this trademark, since it incorporates the entire word constituting the COMFEE trademark.

⁸ Cf., for example, CEPANI cases n° 44393, 444108, and 444172.

⁹ Complainant's Annex 2.



According to established CEPANI case-law, country code top-level domains (ccTLDs) such as the suffix ".be" are not relevant to establish the identity or similarity between a domain name and a trademark. The ".be" extension has no distinctive character within the domain name as it refers only to the geographical extension of the domain name.¹⁰

In this light, the Third-Party Decider rules that the Domain Name is identical to the COMFEE trademark in which Complainant has rights. **Therefore, the first condition of Article 10(b)(1)(i) of the DNS Policy is fulfilled.**

The domain name holder has no rights or legitimate interests in the domain name

According to Article 10(b)(1)(ii) of the DNS Policy, Complainant has to prove that Domain Name Holder has no rights or legitimate interests in the Domain Name.

According to CEPANI case-law, considering the difficulty of proving a negative fact, it is accepted that a complainant must only establish a *prima facie* case that the domain name holder has no legitimate rights or interests. This burden of proof will for example be satisfied when the complainant can credibly state that it is unaware of any reason or circumstance which could be indicative of such right or legitimate interest.¹¹

Generally, a right or legitimate interest can be established in three types of circumstances (according to Article 10(b)(3) of the DNS Policy):

- prior to any notice of the dispute, the registrant used the domain name or a name corresponding to the domain name in connection with a *bona fide* offering of goods or services or made demonstrable preparations for such use; or
- the registrant (as an individual, business, or other organisation) has been commonly known by the domain name, even if he has no trademark; or
- the registrant is making a legitimate and non-commercial or fair use of the domain name, without intent to misleadingly divert consumers for commercial gain or to tarnish the trademark at issue.

In the present case, Domain Name Holder is not sponsored by or affiliated with Complainant in any way. Nor has Complainant given Domain Name Holder permission to use Complainant's trademarks in any manner, including in domain names. The publicly available Whois information identifies the Domain Name Holder as "AirSain CPO BV" which does not resemble the Domain Name in any way.

¹⁰ Cf., for example, CEPANI, cases n° 44082, 44076, 44025, 44290, 44309, 44409, 44427, 444130, 444143 and 444172.

¹¹ Cf., for example, CEPANI cases n° 4064, 4030, 4013, 44013, 44030, 44082, 44275, 44409, 44427, 44462, 44491, 444115 and 444172. See also B. DOCQUIR & O. DE PRELLE, « L'enregistrement abusif des noms de domaine: aperçu de la jurisprudence des Tiers-décideurs du CEPANI » in Les noms de domaine .be / .be domeinnamen, Bruxelles, Bruylant, 2012, 39-58 ; as well as Article 8.6 of the Belgian Civil Code.



The Domain Name was, until the filing of the Complaint, being used for almost 2 years to direct Internet users to an inactive website.¹² There are no indications that the Domain Name was ever used in connection with a *bona fide* offering of goods or services to visitors of the website available under the Domain Name.

In his informal Response, Domain Name Holder states that the Domain Name was registered because AirSain CPO BV has plans to sell Midea products. However, no evidence has been submitted to substantiate this alleged intention (no reseller agreement, no correspondence with Midea, no business plan, and no concrete preparations for such use have been shown).

Moreover, a search on Domain Name Holder's own website for "comfee" yields no results. Domain Name Holder has therefore not demonstrated any "demonstrable preparations" for a *bona fide* offering within the meaning of Article 10(b)(3) of the DNS Policy.

Domain Name Holder's decision, following notice of the dispute, to redirect the Domain Name to Complainant's own official website ('feelcomfee.com') is of no relevance, as this action occurred after Domain Name Holder became aware of the proceedings and, rather than establishing an independent legitimate interest, only reinforces the association between the Domain Name and Complainant's trademark and the lack of actual intended own use of the Domain Name by Domain Name Holder.

On this basis, and considering that Domain Name Holder has failed to demonstrate any right or legitimate interest in the Domain Name,¹³ **the second condition of Article 10(b)(1)(ii) of the DNS Policy is fulfilled.**

The Domain name holder's domain name has been registered or is being used in bad faith

Under Belgian law, bad faith cannot simply be presumed. The existence of bad faith is on the other hand a fact that may be proven by any lawful means. Proof that a domain name has been registered or is used in bad faith (only one of which must be demonstrated), can thus be derived from a set of circumstances on the basis of which one may reasonably conclude that the domain name holder knew (or should have known) that by registering or using the domain name, it would infringe upon the rights of the complainant. The existence of bad faith must therefore be demonstrated with a reasonable degree of certainty.¹⁴

According to Article 10(b)(2) of the DNS Policy, evidence of such bad faith registration or use of a domain name can inter alia be demonstrated by the following (non-exhaustive) list of circumstances:

¹² Complainant's Annex 4.

¹³ Cf., for example, CEPANI cases n°444130, 444143 and 444172.

¹⁴ Cf., for example, CEPANI cases n° 44080, 44199, 44233, 44484, 444115 and 444172.



- *circumstances indicating that the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name to the complainant who is the owner of the trademark [...], for a price that exceeds the costs that the registrant can show are directly related to the acquisition of the domain name; or*
- *the domain name was registered in order to prevent the owner of a trademark [...] to use the domain name and that the registrant has engaged in a pattern of such conduct; or*
- *the domain name was registered primarily for the purpose of disrupting the business of a competitor; or*
- *the domain name was intentionally used to attract, for commercial gain, Internet users to the registrant's web site or other on-line location, by creating confusion with the complainant's trademark [...] as to the source, sponsorship, affiliation, or endorsement of the registrant's web site or location or of a product or service on his web site or location.*

Here, Domain Name Holder appears to be a direct competitor of Complainant, offering air conditioning and filtering units,¹⁵ while not currently (or at any moment since the Domain Name registration) acting as reseller or distributor of Complainant's COMFEE products in Belgium. Given Domain Name Holder's field of business, it is not possible to conceive of a plausible situation in which Domain Name Holder would have been unaware of Complainant's COMFEE brand at the time the Domain Name was registered. Indeed, Domain Name Holder himself confirms this knowledge by stating that the Domain Name was allegedly registered because of its plans to sell Midea products.

In addition to the Domain Name, Domain Name Holder currently holds at least two other domain names incorporating Complainant's trademark: 'feelcomfee.at' and 'comfee.at'.¹⁶ The WHOIS records for both domains confirm that they are registered by AirSain CPO BV, using the same address and contact details. This pattern of registering multiple domain names incorporating Complainant's trademark across different country-code TLDs, without actively using any of these domains for own business purposes, constitutes at least a strong indicator of bad faith, consistent with the circumstances described in Article 10(b)(2) of the DNS Policy.

Furthermore, until recently, the Domain Name resolved to an inactive website.¹⁷ Previous CEPANI third-party deciders have noted that passively holding a domain name can constitute a relevant factor in finding bad faith registration and use pursuant to Article 10(b)(2) of the DNS Policy, notably when no actual preparations to start using the domain name for own, *bona fide*, commercial activities is demonstrated.

By admitting that the Domain Name was registered "because we have plans to sell products from Midea", Domain Name Holder effectively confirms that the Domain Name was registered with full knowledge of, and specifically targeting, the Complainant's COMFEE trademark.

¹⁵ Complainant's Annex 9.

¹⁶ Complainant's Annex 10.

¹⁷ Complainant's Annex 4.



Finally, Domain Name Holder's subsequent redirect of the Domain Name to Complainant's own website ('feelcomfee.com'), after receiving notice of the proceedings, suggests an attempt to retrospectively create an appearance of good faith, rather than evidence of genuine pre-existing legitimate use.

For completeness, Domain Name Holder points out that many other "comfee" domain names are also not owned by Complainant, including 'comfee.com', which is actively offered for sale. This argument is, however, of no relevance to the present dispute. The question before the Third-Party Decider is whether the three conditions under Article 10(b)(1) of the DNS Policy are met with respect to *this* Domain Name and *this* Domain Name Holder. Third parties' potential infringements do not establish a defence for Domain Name Holder.

Taking into account (i) Domain Name Holder's admitted knowledge of Complainant's trademark, (ii) its status as a direct competitor of Complainant, (iii) the registration of multiple domain names incorporating Complainant's trademark across different TLDs, (iv) the passive holding of the Domain Name, and (v) the absence of any reaction providing evidence that would rebut the foregoing indications of bad faith,¹⁸ the Third-Party Decider finds that there is a reasonable degree of certainty that the Domain Name has been registered and is being used in bad faith.

The third condition of Article 10(b)(1)(iii) of the DNS Policy is fulfilled.

7. Decision

Consequently, pursuant to Article 10(e) of the *Terms and conditions of domain name registrations under the ".be" domain operated by DNS BE*, the Third-Party Decider hereby rules that the domain name registration for the "**comfee.be**" domain name is to be transferred to the complainant.

Brussels, 25 June 2026.

DocuSigned by:
Stéphanie De Smedt
CFA37DA31172421...

Stéphanie DE SMEDT
The Third-party Decider

¹⁸ While one may not deduce bad faith from the mere fact that a domain name holder does not file a formal response, the absence of such a response, in combination with other elements, may nevertheless serve as circumstantial evidence of a domain name holder's bad faith. Cf., for example, CEPANI cases n° 4045, 4053, 44309, 44387, 44419 and 444110.

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