Decision for dispute CAC-UDRP-107564

Case number	CAC-UDRP-107564
Time of filing	2025-05-16 10:09:51
Domain names	patekphilippenewyork.com, projectpatek.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	PATEK PHILIPPE SA GENEVE
Organization	HENRI STERN WATCH AGENCY, INC

Complainant representative

Organization	Cabinet Vidon, Marques & Juridique PI

Respondents

Organization	Wrist Aficionado
Organization	SonicTech LLC

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 names.

IDENTIFICATION OF RIGHTS

The first Complainant, PATEK PHILIPPE SA GENEVE, is the owner of a number of trademarks worldwide, including:

- International trademark registration for “PATEK PHILIPPE” No. 394802 in classes 9 and 14, registered December 21, 1972, designating Austria, Bulgaria, Benelux, Czech Republic, Germany, Egypt, Spain, France, Hungary, Italy, Morocco, Monaco, Portugal, Romania, Slovakia, Slovenia, Syria, and Viet Nam; and
- Swiss trademark registration for “PATEK PHILIPPE” No. 396660 in classes 9, 14, 16 and 34, registered October 21, 1992.

The second Complainant, HENRI STERN WATCH AGENCY, INC. is the owner of the following trademarks in the United States of America:

- US trademark registration “PATEK PHILIPPE” No. 520291 in class 14 registered January 24, 1950;
- US trademark registration “PATEK PHILIPPE” No. 764655 in class 14 registered February 11, 1964;
- US trademark registration “PATEK PHILIPPE” No. 6983438 in class 14 registered February 21, 2023.

The First Complainant has registered the domain names <patek.com> and <patekphilippe.com>, which have led to the PATEK PHILIPPE official website, since March 7, 1996 and have been continuously used since at least 1998.

The First Complainant also owns rights in the PATEK PHILIPPE SA GENEVE company name, the company being registered since 1901.

FACTUAL BACKGROUND

The First Complainant is one of the most recognized award winning companies in the history of Swiss watchmaking industry. It was founded in 1839. The name “PATEK PHILIPPE” has its origin in the names of two of the founders: Antoine Norbert de Patek and Jean-Adrien Philippe.

As one of the last independent, family-owned watch manufacturers in Geneva, the First Complainant offers connoisseurs high-end watches and accessories around the world. It maintains over 300 retail locations globally.

The trademark “PATEK PHILIPPE”, used to designate the Complainants’ goods, is famous worldwide and is a leading brand in the field of high-end watchmaking industry.

The Second Complainant is a subsidiary of the First Complainant in the United States of America.

The Complainant operates a web site at patek.com.

Although the disputed domain names have been registered with two different named Respondents both disputed domain names have pointed to web sites that show that they are associated with the American watch business Wrist Aficionado, with common address details.

<Patekphilippenewyork.com> was registered by the Respondent on August 6, 2020 and points to a site of the Respondent that does offer second hand Patek Philippe watches, but also offers watches made by competitors of the Complainant, uses the same colour as the First Complainant's trade dress and contains information on the history of the Complainant and their brand which looks official.

<Projectpatek.com> was registered by the Respondent on August 10, 2024 and while it does not currently point to an active site it was pointed to a commercial site offering watches of the Complainant, but also offering watches made by the competitors of the Complainant.

The Respondent was subject to an adverse decision under the UDRP for registering another domain name not the subject of this Complaint containing the Complainant's trademark and using it to offer competing products.

The Respondent has registered other domain names containing the third-party trademarks of other watch manufacturers and uses them to offer competing products not associated with the relevant trademark owners.

PARTIES CONTENTIONS

The Complainant's contentions can be summarised as follows:

Consolidation Request

The Complainant requests that the Panel hear the present dispute as a consolidated complaint.

As stated in section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), "[w]here a complaint is filed against multiple respondents, panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario."

In relation to the disputed domain names in the present proceedings, the disputed domain names are under common control, which is illustrated by the fact that:

- both disputed domain names include the Complainants' trademarks, alternatively PATEK or PATEK PHILIPPE;
- both disputed domain names lead to websites of the American jeweler WRIST AFICIONADO and the New York location indicated within the <projectpatek.com> website is the same as the customer service address mentioned in the website hosted on <patekphilippenewyork.com>.

Consolidation would be fair and equitable to all parties: it makes no sense for the Complainant to file two distinct complaints when the facts relating to both disputed domain names are so similar, they would incur substantial additional costs in enforcing their rights. The Respondent can also respond in one set of proceedings.

Refiled Complaint

- New material evidence that was reasonably unavailable to the complainant during the original case is presented

The Complainants initiated a UDRP complaint against the domain name <patekphilippenewyork.com> on December 20, 2024. The panelist rejected the complaint (Decision CAC-UDRP-107187). The Complainant then implemented web content monitoring, a technical solution proposed by service providers, and found further registrations of domain names by the same Respondent one of which is also the subject of this Complaint, but three other domain names that are not the subject of this Complaint, namely:

- <projectpatek.com> - also subject of the present complaint:
- <audemarspiguetmiami.com>;
- <richardmillemiami.com>;
- <richardmillenyc.com>.

This new evidence constitutes a pattern of conduct in the registration of domain names composed of famous trademarks, which is directly relevant to establishing bad faith under the Policy.

These other domain names could only have been discovered through the web content monitoring because Whois redaction removes most contact information categorized as personal data, such as the registrant's name. This is why the information was not available through the reverse Whois look-up search. The use of this well-known and widely adopted technology was unsuccessful and the Complainant had to establish a new technical strategy, fully customized, to achieve results.

I. A breach of natural justice or of due process has objectively occurred

In a separate UDRP case <patekphilippemiami.com>, based on virtually identical facts as in <patekphilippenewyork.com>, and registered by the same Respondent, a complaint was successful (Decision CAC-UDRP-106198). Both of these domain names were registered and used by WRIST AFICIONADO, a non-authorized retailer of various watch brands. Both of these domain names (one subject to this Complaint, one not) are composed of the PATEK PHILIPPE trademark, plus a city in which they have business presence (Miami and New York).

Although the UDRP principles do not strictly provide that previous decisions are binding on panelists, in practice it is considered important for the credibility of this system that parties can reasonably anticipate the outcome of a case (paragraph 4.1 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions).

In addition, in similar cases, such as for the consolidated complaint against the seven domain names: <patekboston.com>; <pateknewyork.com>; <patekphilippeboston.com>; <patekphilippeboutique.com>; <patekphilippeboutiqueboston.com>; <patekphilippenewyorkcity.com>; <patekphilippenyc.com> (CAC-UDRP-107185), the Complainant was successful.

In this particular case, it could not reasonably be expected that the initiated complaint for <patekphilippenewyork.com> would be dismissed in view of the existence of similar facts and circumstances to these previous favourable decisions.

For all these reasons the Panel should accept the re-submission of the Complaint in relation to <patekphilippenewyork.com>, now consolidated with the other disputed domain name <projectpatek.com>, not previously the subject of a complaint.

The disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainants have rights.

The first disputed domain name <patekphilippenewyork.com> is composed of:

- the well known word trade mark “PATEK PHILIPPE” and the geographic term “New York”; and
- the Top-Level Domain “.com”.

The second disputed domain name, <projectpatek.com> is composed of :

- the trademark "PATEK" with a generic term "project";
- the Top-Level Domain “.com".

The Top-Level Domain .com is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Further a geographic word is not distinctive and would not prevent a finding of confusing similarity with a relevant trademark, as long as the latter remains recognizable in a domain name.

The Complainant also believes that the addition of a geographical term may increase a likelihood of confusion insofar as it reflects the Complainant’s activities in a geographical area. The addition of “New York” can reinforce the likelihood of confusion as the Complainant has activities in this city.

With regard to <projectpatek.com> "project" is generic as it merely describes an enterprise planned to achieve a particular aim, and is applicable to anyone.

The disputed domain name <projectpatek.com> is also similar to the Complainant’s trademark, and it creates confusion for the users who will believe that it refers to a special project from the Complainant. This is all the more likely because the First Complainant PATEK PHILIPPE hosts its official website at the domain name <patek.com> also using only the first element PATEK of PATEK PHILIPPE.

The Complainant's trademark elements "PATEK" or “PATEK PHILIPPE” do not have any particular meaning in relation to watches, unless referring to the founding partners of the first Complainant, and must, therefore, be considered distinctive. These trademarks enjoy a great reputation worldwide and are well known by consumers internationally, in the field of fine watchmaking. Consequently, their reproduction cannot be a coincidence, and must refer to the Complainant.

II. The Respondent has no rights or legitimate interests in respect of the disputed domain names

The Complainant has owned trademark rights on the sign “PATEK PHILIPPE” since at least 1950.

The Complainant has given no authorization to the Respondent, in any form, to use the sign “PATEK PHILIPPE”, nor to register any domain name including their trademarks.

The Respondent is not making any legitimate use of the disputed domain names.

A search of the United States Trademark Register shows that the Respondent has no trade mark rights for "PATEK PHILIPPE" or "PATEK".

There are only four authorized retailers in New York (Bucherer TimeMachine, Tiffany & Co., Watches of Switzerland, Hudson Yards, and Wempe Jewelers). The Respondent is not one of those.

The Respondent's site buys and resells pre-owned watches branded PATEK PHILIPPE, claiming to be certified. However, it is impossible for the Complainant to confirm the alleged certification.

Within the previous decision rendered on <patekphilippenewyork.com> the panelist stated that it is clear that the Respondent is not related to the Complainant and the Respondent should be in a position to use the trademark PATEK PHILIPPE to designate the selling of second hand products from the Complainant, and he should not be prevented from doing such selling. The Complainant agrees with this, but the use of a domain name reproducing the PATEK PHILIPPE mark is not necessary for such a purpose and creates confusion that the Respondent is an authorised dealer when it is not.

The WIPO Overview 3.0, section 2.8 summarizes the consensus views of UDRP panels in assessing claims of nominative (fair) use by resellers or distributors in the following manner:

“Panels have recognized that resellers, distributors, or service providers using a domain name containing the complainant’s trademark to undertake sales or repairs related to the complainant’s goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. Outlined in the “Oki Data test”, the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- the respondent must actually be offering the goods or services at issue;
- the respondent must use the site to sell only the trademarked goods or services;
- the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and
- the respondent must not try to “corner the market” in domain names that reflect the trademark.”

When getting on the website www.patekphilippenewyork.com for the first time, a pop up window appears inviting the user to provide more information on himself/herself, so that the Respondent may address personalized offers, and a list of brands is suggested, which includes competitors of the Complainant such as ROLEX, AUDEMARS PIGUET, HUBLOT, ...

The Respondent’s Website does not accurately or prominently disclose the Respondent’s relationship with the Complainant, in particular that it is not an authorized seller of the Complainant and has no connection with the Complainant.

Moreover, the Respondent does not use the site to sell only the trademarked goods and services. Rather the Respondent’s Website advertises products from the Complainant’s competitors such as Audemars Piguet and Rolex and contains prominent links where the Respondent offers other goods in competition with the Complainant.

This company states on its page www.patekphilippenewyork.com that “Wrist Aficionado is a re-seller of Patek. » This is not enough to unequivocally inform users of its unauthorized reseller status.

The public understands that many third parties might resell PATEK PHILIPPE watches. But using the trademark with the name of a city where the Complainant has a significant commercial presence misleads users about the status of the watch reseller. Using a trademark for descriptive reasons can be fair, but in this case, it does not respect the legitimate interests of the trademark owners, especially as the Respondent also sells competing watches.

As far as the disputed domain name <projectpatek.com> is concerned, the same reasoning applies, and the registration of this disputed domain name reproducing the Complainants' trademark was not necessary to designate the products sold. The identity of the entity behind the disputed domain name <projectpatek.com> is even less clear as the masthead of the website is entitled PROJECT PATEK, and the identity of the entity behind the website is not noticeable at first glance. There is no explanation as to what "PROJECT PATEK" refers to, and there is therefore no justification whatsoever of the use of the Complainant's PATEK trademark associated with the generic term 'project'. As per the above detailed OKI DATA TEST requirement:

- the Respondent is offering products from other brands than PATEK PHILIPPE on the Project Patek site; and
- the site does not accurately and prominently disclose the registrant's relationship with the trademark holder.

III. The domain names were registered and used in bad faith

The disputed domain names <patekphilippenewyork.com> and <projectpatek.com> have been registered and are being used in bad faith. The Respondent knew about the Complainant's trademark rights. The Complainant's trademark "PATEK PHILIPPE" is very well known in the field of fine watchmaking. Moreover, "PATEK PHILIPPE" appears to be an unusual patronymic name as this sign has no link with the goods and is therefore highly distinctive per se. Moreover, the webpage associated with the disputed domain name <patekphilippenewyork.com> depicts information on activities of the Complainant and the history of the trademark "PATEK PHILIPPE", and the websites associated the disputed domain names offer the Complainant's products for sale, which clearly demonstrates that the disputed domain names are registered and used with knowledge of the Complainant's trademark.

The Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating confusion with the Complainant's trademark.

In addition, the site www.patekphilippenewyork.com displays a deceptive pop-up window prompting users to enter personal information, including names, email addresses and phone numbers. This behavior is indicative of bad faith, as it suggests an intent to mislead visitors into believing they are interacting with the official trademark holder. Collecting personal data under the guise of a brand presence exposes users to a significant risk of phishing.

Indeed with regard to the site operated under the disputed domain name <patekphilippenewyork.com>:

- whilst the "Wrist Aficionado" logo is black on the webpage wristaficionado.com the same logo is light brown/beige on the site www.patekphilippenewyork.com. This color is characteristic of the first Complainant's trade dress;
- the site www.patekphilippenewyork.com is reproducing information on the Complainants (history of the Company, information about the Complainants' collections, …);
- the site is referring to goods that are watches, which is a core activity of the Complainants under the trademark "PATEK PHILIPPE";
- the domain name reproduces the geographical term "New York", which is one of the city in which the Complainants operate a business;
- the Respondent is offering watches not made by the Complainants.

The Respondent has used its websites to mislead Internet users into believing that the websites at the disputed domain names are operated by or authorized by the Complainant to attract Internet users. The Respondent is trying to convince the users that the domain name is affiliated with the Complainant.

In relation to the disputed domain name <projectpatek.com>, the confusion is also obvious, given that:

- the Respondent has integrated the first and last letter of the element "PATEK", that is "PK", within its usual logo : a round figure in the form of a dial, including the twelve hours in roman figures; On its main website, the Respondent reproduces the letters "WA" within this logo, rather than "PK". There is a clear will to create an impression of affiliation between the Respondent and the Complainant, by using a version of the logo including PATEK rather than Wrist Aficionado.
- the Respondent is selling various types of luxury timepieces not made by the Complainants.

The Respondent has used the disputed domain names and associated websites to promote third parties' goods, and in particular to promote competing goods to those of the Complainant.

In the UDRP decision <patekphilippemiami.com> also involving the Respondent and showing a pattern of activity the registration and use in bad faith has been found and the Complainant was successful in identical circumstances against the Respondent. The Complainant has also succeeded under the UDRP in highly similar circumstances against other respondents in highly similar circumstances..

The Respondent's pattern of conduct is also illustrated by the registration and use by the Respondent of domain names not the subject of this Complaint reproducing the trademarks of other third parties to lead to the Respondent's website and sell products from various unrelated luxury brands:

- the domain name <richardmillemiami.com> leads to a website hosted by WRIST AFICIONADO, which mentions that "Wrist Aficionado has a unique selection of hard-to-find Richard Mille watches". While following the link, the user is redirected to the website www.wristaficionado.com, which does not mention at all the relationship between WRIST AFICIONADO and RICHARD MILLE, leading the user believe there is an affiliation;
- the domain name <richardmillenyc.com> leads to a website within which the RICHARD MILLE's products are sold, amongst those of other luxury watchmakers. Once again no information at all is given on the relationship between WRIST AFICIONADO and RICHARD MILLE;

- the domain name <audemarspiguetmiami.com> leads to a website hosted by WRIST AFICIONADO, offering for sale products from AUDEMARS PIGUET's competitor ROLEX. AUDEMARS PIGUET has an official store in Miami.

All this evidence constitutes a pattern of non-authorized registrations of famous trademarks directly relevant to establishing bad faith under the Policy.

The registrars' verifications merely confirm the bad faith in the registration and use of the disputed domain names:

- <patekphilippenewyork.com> is indeed registered in the name of WRIST AFICIONADO and is the most efficient domain name to identify the Complainants together with the Complainant's location to attract Complainants' consumers' to its website;
- <projectpatek.com> is registered under the name of SONICTECH LLC, with an email address shadowtechshop@gmail.com which does not match at all either the true Respondent company or the related individual (Alejandro Lopez). The email address includes the term "shadow" which suggests this is an email address to hide the identity of the true owner. The information relating to the owner's name and identity is therefore clearly false, and is being fraudulently used to hide the real contact details of the Respondent. This clearly shows the bad faith in registration and use of the disputed domain name as well as the lack of a legitimate interest.

For all the foregoing reasons, the Complainant alleges that the registrations of the disputed domain names were made in bad faith and that the domain names should be transferred to the First Complainant.

Response

No administratively compliant Response has been filed.

RIGHTS

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

PROCEDURAL FACTORS

Refiled Complaint

Whilst the refiling of a Complaint is discouraged under the UDRP, it is permitted in limited circumstances including:

- new material evidence that was reasonably unavailable to the complainant during the original case is presented; or
- a breach of natural justice or of due process has objectively occurred.

The Complainants initiated a UDRP complaint against the disputed domain name <patekphilippenewyork.com> on December 20, 2024. The panelist rejected the complaint (Decision CAC-UDRP-107187).

The difficulties caused by Whois redaction removing most contact information categorized as personal data, such as the registrant’s name, making it more difficult to find out whether multiple domain names are registered by the same entity, are well known. The Complainant needed to retain specialist help in order to discover new evidence of four more domain names, one a disputed domain name the subject of this Complaint and three that are not, which is directly relevant to establishing bad faith under the Policy. The information was not available to the Complainant through the reverse Whois look-up search. The Panel holds that new material evidence that was reasonably unavailable to the Complainant during the original case has now been presented in this Complaint and, therefore, there is good reason for the Panel to permit refiling in relation to <patekphilippenewyork.com>

It is, therefore, unnecessary to consider whether a breach of natural justice or due process occurred in the previous decision relating to this disputed domain name <patekphilippenewyork.com> and the Panel holds that the Complainant may legitimately refile in relation to it.

Multiple Complainants

In the instant proceedings, there are two complainants. Multiple persons or entities who have a sufficient nexus or who can each claim to have rights relating to all domain names listed in a complaint can bring a joint complaint. The Second Complainant is a

subsidiary of the First Complainant and both own registered rights in the PATEK PHILLIPPE mark. Accordingly, the relationship between these parties is sufficient to establish a nexus between these corporate entities and they both can claim to have rights in a mark used in the disputed domain names. The Panel holds that both complainants may legitimately jointly bring this Complaint and are herein generally referred to as 'the Complainant'.

Multiple Respondents

As stated in section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), "[w]here a complaint is filed against multiple respondents, panels look at whether: (i) the domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario."

The disputed domain names both lead to websites of the American jeweller WRIST AFICIONADO and the New York location indicated within the <projectpatek.com> website is the same as the customer service address mentioned in the website hosted on <patekphilippenewyork.com>. There has been no Response in respect of either disputed domain name and so no assertions have been made that the owners of both disputed domain names isnot one and the same. Accordingly, the Panel considers that the disputed domain names are subject to common control.

The Panel also holds that consolidation would be fair and equitable to all parties and is procedurally efficient given the identity of parties and similarity of issues related to both disputed domain names. The Panel holds that this Complaint may proceed in respect of both disputed domain names.

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

Identical or Confusingly Similar

The first disputed domain name <patekphilippenewyork.com> registered in 2020 is composed of:

- the well known prior word trade mark "PATEK PHILIPPE" and the geographic term "New York"; and
- the Top-Level Domain ".com".

The second disputed domain name registered in 2024, <projectpatek.com> is composed of:

- a recognisable abbreviation of the Complainant's prior well known trademark PATEK PHILIPPE, namely "PATEK" with a generic term "project";
- the Top-Level Domain ".com".

The Top-Level Domain .com is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

With respect to the first disputed domain name a geographic word such as "New York" is not distinctive and would not prevent a finding of confusing similarity with a relevant trademark, as long as the latter remains recognizable in a domain name.

With respect to the second disputed domain name, the abbreviation of a trade mark such as the abbreviation of PATEK PHILIPPE as "PATEK" does not prevent confusing similarity where a complainant's trade mark is still recognisable in the name. Further the addition of a descriptive name such as "project" does not prevent a finding of confusing similarity where a complainant's trade mark is also still recognisable.

The Panel holds that the disputed domain names are both confusingly similar to the Complainants' prior well known PATEK PHILIPPE mark.

Rights or Legitimate Interests

The Respondent is not commonly known by the names PATEK PHILIPPE or PATEK and is not authorised by the Complainant.

Panels have recognized that resellers using a domain name containing a complainant's trademark to sell a complainant's goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name if they satisfy the "Oki Data test", namely:

- the respondent must actually be offering the goods or services at issue;
- the respondent must use the site to sell only the trademarked goods or services;
- the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and
- the respondent must not try to "corner the market" in domain names that reflect the trademark.

On the website attached to the first disputed domain name www.patekphilippenewyork.com a pop up window appears inviting the user to provide more information to get offers for brands including competitors of the Complainant such as ROLEX, AUDEMARS PIGUET, HUBLOT. The Respondent does not use the site to sell only PATEK PHILIPPE goods. The web site also details information on activities of the Complainant and the history of the trademark "PATEK PHILIPPE" making it look like an official site and uses the same colour as the First Complainant's trade dress. The Panel agrees with the Complainant that the Respondent's Website does not accurately or prominently disclose the Respondent's relationship with the Complainant, in particular that it is not an authorized seller of the Complainant or has no particular connection with the Complainant and is offering competing brands of watches and so fails the Oki Data test.

As far as the disputed domain name <projectpatek.com> is concerned, the relationship of the entity behind the domain name and the website and the Complainant, or rather lack thereof, is certainly not clear and the masthead of the website contains a recognisable abbreviation of the Complainant's mark PATEK. Additionally, the Respondent has integrated the first and last letter of the element "PATEK", that is "PK", within its usual logo: a round figure in the form of a dial, including the twelve hours in roman figures. (On its main website, the Respondent reproduces the letters "WA" within this logo, rather than "PK") Considering the Oki Data criteria the Respondent fails to meet them because the Respondent is offering products from other brands than PATEK PHILIPPE on the relevant website and the site does not accurately and clearly disclose that the registrant has no relationship with the Complainant.

The Respondent has not answered this Complaint to rebut the prima facie case evidenced by the Respondent herein.

The Panel, therefore holds that the Respondent does not have rights or legitimate interests in the disputed domain names or either of them under the Policy.

Registered and Used in Bad Faith

The webpage associated with the domain name <patekphilippenewyork.com> contains information on the activities of the Complainant and the history of the trademark PATEK PHILIPPE and uses the same colour as the First Complainant's trade dress. Further the websites associated with both disputed domain names offer the Complainant'ss products for sale. The disputed domain names were registered and used with actual knowledge of the Complainant's trademark.

The Respondent has used the disputed domain names and associated websites to promote third parties' goods, and in particular to promote competing goods to those of the Complainant. The Panel finds this confusing and determines that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating confusion with the Complainant's trademark, thereby disrupting the Complainant's business.

In the UDRP decision <patekphilippemiami.com> also involving the Respondent, but involving a domain name not the subject of this Complaint registration and use in bad faith was found and the Complainant was successful in virtually identical circumstances against the Respondent.

The Respondent has also registered domain names reproducing the trademarks of other third parties which are not the subject of this Complaint, to lead to the Respondent's website and sell products from various unrelated luxury brands:

- the domain name <richardmillemiami.com> leads to a website hosted by WRIST AFICIONADO, which mentions that "Wrist Aficionado has a unique selection of hard-to-find Richard Mille watches". While following the link, the user is redirected to the website www.wristaficionado.com, which does not explain the lack of a relationship between WRIST AFICIONADO and RICHARD MILLE and contains a video offering jewellery, watches and other goods not connected to the Complainant;
- the domain name <richardmillenyc.com> leads to a website within which RICHARD MILLE's products are offered, but so are those of other luxury watchmakers. No information is given on the relationship between WRIST AFICIONADO and RICHARD MILLE;
- the domain name <audemarspiguetmiami.com> leads to a website hosted by WRIST AFICIONADO, offering for sale products from AUDEMARS PIGUET's competitor ROLEX. AUDEMARS PIGUET has an official store in Miami.

All this evidence constitutes a pattern of non-authorized registrations of famous trademarks in domain names to offer competing products directly relevant to establishing bad faith under the Policy.

The Panel also notes that <projectpatek.com> is registered under the name of SONICTECH LLC, with an email address <shadowtechshop@gmail.com> which does not match the true Respondent´s company Watch Aficionado or its related individual (Alejandro Lopez). The information relating to the owner's name and identity, therefore appears to hide the real contact details of the Respondent. Providing false contact details for the WhoIs database also indicates bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **patekphilippenewyork.com**: Transferred
2. **projectpatek.com**: Transferred

PANELLISTS

Name	**Dawn Osborne**

DATE OF PANEL DECISION 2025-06-27

Publish the Decision