Decision for dispute CAC-UDRP-107599

Case number	CAC-UDRP-107599
Time of filing	2025-05-27 10:31:15
Domain names	patekphilippesalons.com

Case administrator

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

Complainant

Organization	PATEK PHILIPPE SA GENEVE

Complainant representative

Organization	Cabinet Vidon, Marques & Juridique PI

Respondent

Organization	RPB OUEST

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 is the owner of several trademarks consisting of the word element “PATEK PHILLIPE ”, such as:

- International trademark registration for “PATEK PHILIPPE” No. 394802 of December 21, 1972 in classes 9 and 14;
- International trademark registration for “PATEK PHILIPPE” No. 1627572 of July 8, 2021 in classes 9 and 14;
- Swiss trademark registration for “PATEK PHILIPPE” No. 06393/1992 of August 28, 1992 in classes 9, 14, 16 and 34.

Furthermore, the Complainant is the owner of several domain names consisting of the word element bearing “PATEK” or „PATEK PHILIPPE, such as: <patek.com> and <patekphilippe.com>, both registered March 7, 1996.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant is one of the most renowned companies in the history of Swiss watchmaking and has received numerous awards for its innovation and design.

The company was founded in 1839. The name "PATEK PHILIPPE" is composed of the surnames of its two founders: Antoine Norbert de Patek and Jean-Adrien Philippe. Since its inception, the company has been manufacturing luxury watches of the highest craftsmanship and precision under the brand name " PATEK PHILIPPE."

As one of the last independent family-owned watchmakers based in Geneva, Complainant offers high-quality watches and accessories around the world. The company operates over 300 retail stores and works with around a dozen distribution partners in America, Asia, and Europe.

The Complainant uses, inter alia, the domain names <patek.com> and <patekphilippe.com> as well as its trademarks “PATEK PHILIPPE” for its services and as its company name.

The disputed domain name <PATEKPHILIPPESALONS.COM > has been created by the Respondent on May 18, 2025. The disputed domain name currently does not link to an active website.

However, the disputed domain name was reproduced in an email. The email was sent by a certain "Julien Roche" with the email address <julien.roche@patek.com> and informed a user that he had been placed on a waiting list for a PATEK PHILIPPE watch. The recipient of the email was asked to reply to the email address <JULIEN.ROCHE@PATEKPHILIPPESALONS.COM >. The email contains the Complainant's trademark "PATEK PHILIPPE" as well as other information, such as the Complainant's logo (cross) or a false sender email address with the Complainant's name, which could lead the recipient to believe that the content is legitimate. The content of the email is that the recipient is allegedly on a waiting list for a PATEK PHILLIPE watch, model Nautilus, priced at EUR 70,350, which is not the case, actually.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
No administratively compliant Response has been filed.

The fact that the email above reproduces the contested domain name suggests a prima facie connection between the Respondent and the email. Furthermore, given the content of the email, the disputed domain name appears prima facie to be used for phishing or fraud by giving the impression that it is a legitimate domain name operated by the Complainant.

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

As the Respondent did not file an administratively compliant Response, pursuant to paragraph 14(b) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), the Panel may draw such inferences therefrom as it considers appropriate. Thus, the Panel accepts the contentions of the Complainant as admitted by the Respondent.

Taking the statements and documents submitted by the Complainant under careful consideration, the Panel concludes that the Complainant has established all the elements entitling it to claim the transfer of the disputed domain name.

I. Identical or Confusingly Similar disputed domain name

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name to be 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.

The Complainant has, to the satisfaction of the Panel, shown that it has valid trademark rights in “PATEK PHILIPPE”. The disputed domain name includes the Complainant's trademarks in its entirety.

The addition of the descriptive term "SALONS" is not sufficient to distinguish the disputed domain name from the trademarks. This is because the Complainant's trademarks are also associated in the public perception with individual terms such as "SALONS," as the Complainant uses the term "SALONS" to designate its showrooms where it displays its watches. Therefore, the disputed name could be perceived by Internet users as a showroom managed by the Complainant.

Lastly, the addition of the gTLD suffix “.COM” is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademarks and does not change the overall impression of the designation as being connected to the trademarks of the Complainant.

II. The Respondent’s Rights or Legitimate Interests in the disputed domain name

The Complainant has established a prima facie proof that the Respondent has no rights or legitimate interests in the disputed domain name, since the Respondent is not a licensee of the Complainant nor has the Complainant granted any permission or consent to use its trademarks in a domain name. Further, the disputed domain name does not correspond to the name of the Respondent, nor is the Respondent commonly known as “PATEK PHILIPPE”.

Furthermore, the disputed domain name is used misleadingly in emails and gives the false impression of a connection between the Complainant and the Respondent. The message to the email addresses states that he had been placed on a waiting list for a PATEK PHILIPPE Nautilus watch did not originate from the Complainant.

The email reproduces the disputed domain name, identically. In connection with the Complainant’s contentions that the email seems to be sent by the Respondent or on its behalf this suggests a prima facie connection between the Respondent and the email, which was not disputed by the Respondent, who did not file a response.

Of course, such use of the disputed domain name cannot be considered legitimate non-commercial or fair use without commercial intent. The Respondent is clearly attempting to make a profit by sending emails from an email address that is intended to appear as if it originates from the Complainant and by using a domain name that is confusingly similar to the trademarks of the Complainant. The Panel is of the opinion that the Respondent's intention is to profit from the reputation of the Complainant's trademark through so-called phishing.

On top of this, the Panel is not aware of any possible legitimate use of this disputed domain name including the word “salons” by the Respondent.

Summarised, there is no evidence for a use of the disputed domain name for any bona fide offer of goods or services or a legitimate non-commercial or fair use. Therefore, the Respondent has no rights or legitimate interests in the disputed domain name.

III. The disputed domain name has been registered and is being used in Bad Faith

The Respondent has also registered and is using the disputed domain name in bad faith within the meaning of para. 4 (a)(iii) of the Policy by intentionally attempting to attract internet users to their website by creating a likelihood of confusion with the Complainant's trademark for commercial gain.

The Complainant's "PATEK PHILIPPE" trademarks are well known and were already known at the time the disputed domain was registered by the Respondent.

The Complainant is one of the best-known and most respected watch manufacturers in the luxury segment worldwide. Its products are prestigious, sought-after, and known to a wide audience. In view of the distinctive character of the trademarks and the reputation of the Complainant, it can be assumed that the Respondent registered the disputed domain name in full knowledge of the Complainant's trademarks.

The term "Salons" is also used by the Complainant to designate its showrooms. The fact that the Respondent uses this term with the brand name clearly indicates that it deliberately wanted to create the impression that the disputed domain name was one of the Complainant's domain names.

Furthermore, it is evident that the Respondent is attempting to derive benefit by sending emails from an address designed to appear as though it originates from the Complainant, and by using a domain name that is confusingly similar to the Complainant's. The Respondent’s objective appears to be exploiting the reputation of the Complainant’s trademarks for illicit gain through so-called phishing activities. This clearly indicates bad faith on the part of the Respondent.

Moreover, the mere registration of a domain name that is identical to a well-known or widely used trademark by an unrelated company is sufficient to give rise to a presumption of bad faith (WIPO Decision No. D2000-0163 – Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.). Since the term "PATEK PHILIPPE" has no inherent meaning and is exclusively associated with the Complainant in the mind of the relevant public, it is also not apparent why the Respondent should use it in the disputed domain name, except to create the impression of a connection with the Complainant. The addition of "SALONS" after "PATEK PHILIPPE" does not alter this, but rather reinforces the impression.

The Panel therefore concludes that the Respondent registered the disputed domain name in bad faith within the meaning of 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. **patekphilippesalons.com**: Transferred

PANELLISTS

Name	**Dominik Eickemeier**

DATE OF PANEL DECISION 2025-07-10

Publish the Decision