Decision for dispute CAC-UDRP-106473

Case number	CAC-UDRP-106473
Time of filing	2025-06-30 09:56:57
Domain names	stellamccartney-eu.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Stella McCartney Ltd

Complainant representative

Organization	GriffeShield S.r.l.

Respondent

Name	Icie Lindgren

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 various trademark registrations including the element "Stella McCartney" in more than 141 jurisdictions, including: • European Union trademark STELLA MCCARTNEY with registration number 000546465 of July 7, 1999 for goods in class 25; • International trademark STELLA MCCARTNEY with registration number 952222 of May 8, 2007 for goods and services in classes 3, 9, 14, 16, 18, 20, 24, 25, 28, and 35, with protection granted in, inter alia, Australia, People's Republic of China and the United States of America (“US”); • US trademark STELLA MCCARTNEY with registration number 2865923 of July 27, 2004 for goods in class 25. The trademarks are hereinafter referred to as the "STELLA MCCARTNEY trademark" (singular form).

FACTUAL BACKGROUND

The Complainant is a worldwide famous fashion house founded in 2001 by English fashion designer Stella McCartney. The Company operates globally with freestanding stores in, inter alia, New York, London, Los Angeles, Paris, Barcelona, Milan, Rome, Miami and Houston. The Complainant operates a website at “www.stellamccartney.com” which is its primary presence on the Internet to sell its products and promote its new collections. The corresponding domain name is registered since May 26, 1999. The Complainant also owns different social media profiles through which the STELLA MCCARTNEY

trademark is promoted and advertised. The Respondent registered the disputed domain name on January 17, 2025. The disputed domain name is currently inactive, but used to resolve to a website where, according to the Complainant's undisputed allegation, the Complainant's counterfeit products were offered for sale, at least until February 2025. According to the Complainant, the high discount of the products offered is also a sign of possible scam activities which would cause serious damages to the consumers and to the Complainant.

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.

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

1. The Panel finds that the disputed domain name is confusingly similar to the STELLA MCCARTNEY trademark, as the Respondent has taken this trademark in its entirety and added "eu" with a hyphen, to the STELLA MCCARTNEY trademark, which does not distinguish the disputed domain names from the Complainant's trademark. 2. The Panel takes note of the various undisputed allegations of the Complaint that the Respondent is not a licensee, an authorized agent of the Complainant or in any other way authorized to use the Complainant's trademarks, and specifically that the Respondent is not an authorized reseller of the Complainant and has not been authorized to register and use the disputed domain name, and that the Respondent has not been commonly known by the disputed domain name. The Complainant also showed that the disputed domain name resolved to a website where the STELLA MCCARTNEY trademark was published, images protected by copyright were used and counterfeit products were offered for sale. Because the Respondent did not provide any explanation for its conduct, the Panel infers that the Respondent has no rights or legitimate interests in the disputed domain name (cf. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Jurisprudential Overview 3.0"), par. 2.13.1). 3. The STELLA MCCARTNEY trademark has been registered and, by virtue of extensive worldwide use as well as advertisement campaigns and the Complainant's owner's social engagement, has become a well-known trademark in the fashion commercial sector well before the registration of the disputed domain names. Therefore, in the Panel's opinion, the Respondent must have had the STELLA MCCARTNEY trademark in mind at the time of registration of the disputed domain name. The undisputed fact that the website to which the disputed domain name resolved copied the STELLA MCCARTNEY trademark and images of the Complainant's products, and offered replicas of shoes, clothes, handbags and accessories under the STELLA MCCARTNEY trademark with high discounts as compared to the Complainant's genuine products, are an indication that the Respondent appears to have used the disputed domain name to facilitate the sale of counterfeit products (e.g., Belstaff S.R.L. v. jiangzheng ying, WIPO Case No. D2012-0793). The Panel is satisfied that these circumstances, without any plausible explanation from the Respondent, constitutes use of the disputed domain name in bad faith. The fact that the disputed domain name is currently inactive do not makes this finding differently (cf. WIPO Jurisprudential Overview 3.0, par. 3.3).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **stellamccartney-eu.com**: Transferred

PANELLISTS

Name	**Alfred Meijboom**

DATE OF PANEL DECISION 2025-07-31

Publish the Decision