Decision for dispute CAC-UDRP-107962

Case number	CAC-UDRP-107962
Time of filing	2025-09-17 09:21:40
Domain names	loropiana-discount.shop, loropianaa.shop, loropiana-eu.shop, loropiana-eur.shop, loropiana-usa.shop, loropiana-outlets.shop, us-loropiana-cqm.shop, usa-loropiana.shop, loropiana-vip.shop, us-loropiana.shop

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Loro Piana S.p.A.

Complainant representative

Organization	Barzanò & Zanardo S.p.A.

Respondents

Name	chen zhiqiang
Name	chen yupei
Name	bao dan
Name	chen qihui
Name	wen yunhui
Name	zhang shiyin
Name	Chen Qihui

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 Complainant is the registrant of the LORO PIANA figurative mark, including with the EUIPO, namely Reg. No. 018162715, registered on May 22, 2020 for goods in Nice Class 25.

FACTUAL BACKGROUND

Founded in 1924 by Pietro Loro Piana, an Italian engineer, the Complainant, Loro Piana S.p.A., is an Italian luxury fashion brand specialized in textile manufacturing and ready-to-wear clothing headquartered in Milan.

All the domain names were registered between June 25 and July 22, 2025. The <loropiana-discount.shop>, <loropianaa.shop>, <loropiana-eu.shop>, <loropiana-eur.shop> and <loropiana-usa.shop> domain names resolve to a website mirroring an official website of the Complainant.

The <loropiana-outlets.shop>, <us-loropiana.shop>, <us-loropiana-cqm.shop>, <usa-loropiana.shop> and <loropiana-vip.shop> domain names do not resolve to an active website.

PARTIES CONTENTIONS

As noted below, the Complainant contends that the requirements of the Policy have been met and that the disputed domain names 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 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 are 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.

In particular, Paragraph 3(c) of the Rules provides that a “complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder”. The Complainant has shown that all the disputed domain names are effectively controlled by the same person and/or entity, which is operating under several aliases. Accordingly, pursuant to paragraph 4(f) of the Policy, the Panel accepts the Complainant's request to consolidate the disputes over the disputed domain names. Hence this decision refers to chen zhiqiang, chen yupei, bao dan, chen qihui, wen yunhui, zhang shiyin and Chen Qihui as “the Respondent”.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

(1) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(2) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(3) the disputed domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint; however, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Jurisprudential Overview 3.0 at paragraph 4.3; see also eGalaxy Multimedia Inc. v. ON HOLD By Owner Ready To Expire, FA 157287 (Forum June 26, 2003) ("Because Complainant did not produce clear evidence to support its subjective allegations [. . .] the Panel finds it appropriate to dismiss the Complaint").

As to the first element, the Complainant has shown that it has rights in the LORO PIANO figurative mark mentioned above. The Panel finds each of the disputed domain names to be confusingly similar to the Complainant's trademark because each incorporates the dominant textual element of the mark in its entirety. The added hyphens, the descriptive words "discount" and "outlets", theabbreviations "eu", "eur", "usa", "cqm" and "vip" and the letter "a" do not distinguish the domain names from the mark. The inconsequential top-level domain ".shop" may be ignored under this element. The Complainant has established this element.

As to the second element, paragraph 4(c) of the Policy sets out three illustrative circumstances as examples which, if established by the Respondent, shall demonstrate rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy, i.e.

(i) before any notice to the Respondent of the dispute, the use by the Respondent of, or demonstrable preparations to use, the domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or

(ii) the Respondent (as an individual, business or other organization) has been commonly known by the disputed domain name, even if the Respondent has acquired no trademark or service mark rights; or

(iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert customers or to tarnish the trademark or service mark at issue.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The <loropiana-discount.shop>, <loropianaa.shop>, <loropiana-eu.shop>, <loropiana-eur.shop> and <loropiana-usa.shop> domain names resolve to a commercial website where, in the absence of any disclaimer of nonaffiliation, the Complainant's figurative mark and logo feature

prominently, along with alleged LORO PIANA firearms. These products are sold at a discounted price using copyrighted images of the Complainant. Such willful conduct to create a highly misleading website clearly demonstrates that the Respondent did not intend to use the domain names in connection with any legitimate purpose, and its use cannot be certainly considered a legitimate non-commercial or fair use without intent for commercial gain. The Respondent is impersonating the Complainant without authorization.

The <loropiana-outlets.shop>, <us-loropiana.shop>, <us-loropiana-cqm.shop>, <usa-loropiana.shop> and <loropiana-vip.shop> domain names do not resolve to an active website. The Complainant submits that, considering that each of them entirely reproduces the Complainant's trademark, it is very difficult to conceive of any possible right or legitimate interest which the Respondent could have in the disputed domain names (see DHL International GmbH v. Diversified Home Loans, WIPO Case D2010-0097). The fact that LORO PIANA is a fanciful name strengthens the assumption that the disputed domain names were registered for the sole purpose of misleading potential consumers, to tarnish the Complainant's trademark and to prevent the Complainant from reflecting its trademark in a corresponding domain name.

The Panel notes that all disputed domain names were registered between June 25 and July 22, 2025, several years after the registration of the Complainant's LORO PIANA mark, which is well-known. The <loropiana-discount.shop>, <loropianaa.shop>,

<loropiana-eu.shop>, <loropiana-eur.shop> and <loropiana-usa.shop> domain names resolve to an active website displaying the Complainant's mark and offering goods at heavily discounted prices, while the <loropiana-outlets.shop>, <us-loropiana.shop>, <us-loropiana-cqm.shop>, <usa-loropiana.shop> and <loropiana-vip.shop> domain names do not resolve to an active website.

These circumstances, together with the Complainant's assertions, are sufficient to constitute a prima facie showing of absence of rights or legitimate interests in respect of the disputed domain names on the part of the Respondent. The evidentiary burden therefore shifts to the Respondent to show that it does have rights or legitimate interests in the disputed domain names. See JUUL Labs, Inc. v. Dryx Emerson / KMF Events LTD, FA1906001849706 (Forum July 17, 2019). The Respondent has made no attempt to do so.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant has established this element.

As to the third element, the circumstances set out above in relation to the second element satisfy the Panel that the Respondent was fully aware of the Complainant's well-known LORO PIANA mark when the Respondent registered the disputed domain names and did so in bad faith. As to the <loropiana-discount.shop>, <loropianaa.shop>, <loropiana-eu.shop>, <loropiana-eur.shop> and <loropiana-usa.shop> domain names, which resolve to an active website reproducing the Complainant's mark, the Panel finds that the Respondent is attempting to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

As to the <loropiana-outlets.shop>, <us-loropiana.shop>, <us-loropiana-cqm.shop>, <usa-loropiana.shop> and <loropiana-vip.shop> domain names that do not currently resolve to an active website, as in the leading case of Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003), there is no conceivable active use that could be made of those disputed domain names that would not amount to an infringement of the Complainant's rights. Accordingly, the Panel finds that the Respondent's passive use of those disputed domain names also constitutes use in bad faith.

The Complainant has established this element.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **loropiana-discount.shop**: Transferred
2. **loropianaa.shop**: Transferred
3. **loropiana-eu.shop**: Transferred
4. **loropiana-eur.shop**: Transferred
5. **loropiana-usa.shop**: Transferred
6. **loropiana-outlets.shop**: Transferred
7. **us-loropiana-cqm.shop**: Transferred
8. **usa-loropiana.shop**: Transferred
9. **loropiana-vip.shop**: Transferred
10. **us-loropiana.shop**: Transferred

PANELLISTS

Name	**Alan Limbury**

DATE OF PANEL DECISION 2025-10-10

Publish the Decision