Decision for dispute CAC-UDRP-108012

Case number	CAC-UDRP-108012
Time of filing	2025-10-03 13:28:46
Domain names	47brand.store

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	47 BRAND, LLC

Complainant representative

Organization	Convey srl

Respondent

Name	Grant Savage

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 (the "Domain Name").

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the following registered trade marks that comprise or incorporate the term "47":

(i) International trade mark registration number 1306371 for a figurative mark comprising the number 47 in stylised text surrounded by a circle, filed on 20 May 2016, in classes 16, 18, 24 and 25 and which has proceeded to registration to at least some degree in 7 territories; and

(ii) US Trade mark registration number 5146899 for a figurative mark comprising the number 47 in stylised text surrounded by the text "FORTY SEVEN BRAND" in a circular design, applied for on 28 March 2013 and with a registration date of 21 February, 2017, in classes 24 and 25.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT

The Complainant is an American headwear company headquartered in Buffalo, New York. The company was founded in 1947 by the Italian brothers Henry and Arthur D'Angelo, twin brothers who immigrated from Orsogna, Italy to the U.S. in 1938, and focused on

quality and craftsmanship to create authentic headwear and apparel, specialized in the wholesale distribution of men's and boys' apparel and furnishings. This includes sportswear, hosiery, underwear, nightwear, and work clothing. The above two divisions, i.e. headwear and apparel, are combined under one unified label.

The Complainant creates apparel lines for NFL, MLB, NBA, NHL, MLS, NCAA, NASCAR and 900 colleges. It entered into a partnership of 47 BRAND, LLC with Liverpool Football Club (Liverpool FC), in October 2015, and on 23 June, 2023, opened a pop-up store at 19 Air Street in London (UK).

The Complainant's products are available for purchase online, inter alia, from the domain name <47brand.com>.

The Domain Name was registered by the Respondent on 8 September 2025, without the Complainant's authorisation. The Respondent registered and used the Domain Name to send phishing emails impersonating the Complainant. In said emails, the individuals were invited to job interviews. The emails' recipients were directed to a contact person who was impersonating a Complainant's HR contact employee, usurping the identity of the Complainant and impersonating its human resources department to obtain commercial gain from fraudulent practices, such as sending false job offers.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the 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 Domain Name is identical or confusingly similar to a trade mark 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 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 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

The Complainant has demonstrated rights in registered trade marks of which a prominent element is the text "47" and/or "FORTY SEVEN BRAND". The Domain Name can also most sensibly be read as the number "47" with the word "brand" combined with the ".store " gTLD. Accordingly, the Complainant's trade marks are clearly recognisable in the Domain Name. This is sufficient for a finding of confusing similarity under the Policy (see sections 1.7 of the WIPO Overview 3.0). The Complainant has, therefore, satisfied the requirements of paragraph 4(a)(i) of the Policy.

The Panel accepts that the Domain Name has been deliberately registered to falsely impersonate the Complainant in furtherance of fraudulent activity. In this respect, the Complainant has provided a copy of emails using an email address that incorporated the Domain Name, which purport to come from an individual who is a "Senior Manager" of the Complainant when they do not, and the contents of which offered the recipient a job.

There is obviously no right or legitimate interest in holding a domain name for the purpose of furtherance of a fraud through impersonation (see section 2.13 of the WIPO Overview 3.0), and the fact that a domain name is or has been used for such a purpose

is evidence that no such right or legitimate interest exists. Further, the registration and use of a domain name for such a purpose involves registration and use in bad faith (see, section 3.4 of the WIPO Overview 3.0). Arguably, such activities fall within the scope of the example circumstances evidencing bad faith registration set out in paragraph 4(b)(iv) of the Policy. However, whether or not this is so, it is difficult to conceive of a more clear-cut example of bad faith registration and use of a domain name.

The Complainant has, therefore, satisfied the requirements of paragraphs 4(a)(ii) and (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. **47brand.store**: Transferred

PANELLISTS

Name	**Matthew Harris**

DATE OF PANEL DECISION 2025-10-31

Publish the Decision