Decision for dispute CAC-UDRP-108191

Case number	CAC-UDRP-108191
Time of filing	2025-12-04 09:26:21
Domain names	patek-us.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

Respondent

Name	THOMPSON TUCKER

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 PATEK, registered worldwide, such as

International trademark word: “PATEK” No. 208381 registered on March 22, 1958 and duly renewed; it is valid in several countries (12) of the European Union.

Moreover, the first Complainant owns multiple domain names consisting in the wording <patek.com> and <patekphilippe.com>, leading to PATEK PHILIPPE official website, since March 7, 1996.

The disputed domain name <patek-us.com> was registered very much later, on November 20, 2025.

FACTUAL BACKGROUND

The Complainants are a Switzerland company specialized in the production, processing and distribution of luxury watches and the U.S. service partner for protection. The Complainant PATEK PHILIPPE SA GENEVE is one of the most recognized companies of the Swiss watchmaking industry.

The manufacture was founded in 1839 and the name “PATEK PHILIPPE” has its origin in the names of two of the founders: Antoine Norbert de Patek and Jean-Adrien Philippe, and has risen to the top of the luxury watch industry under “PATEK PHILIPPE” trademark. As one of the last independent, family-owned watch manufacturers in Geneva, PATEK PHILIPPE SA GENEVE offers high-end watches and accessories around the world. The company maintains over 300 retail locations globally and a dozen distributors across America, Asia, Europe etc.

The Complainants contend that their trademark is distinctive and well-known and in several countries, especially in Europe and USA.

The Complainants contend that the Respondent has no rights or legitimate interests in respect of the disputed domain name and he is not related in any way to the Complainant.

The disputed domain name is on a parking website of the provider. The Respondent is based in the United States, Alpharetta, GA.

PARTIES CONTENTIONS

The Complainants contend above 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 Complainants have, 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 Complainants have rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainants have, 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 Complainants have, 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

The UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY (UDRP) of the Internet Corporation for Assigned Names and Numbers

(ICANN) (the “Policy”) provides that the complainant must prove each of the following to obtain transfer or cancellation of the domain name:

1. that respondent’s domain name is identical or confusingly similar to a trademark in which complainant has rights; and
2. that respondent has no rights or legitimate interests in respect of the domain name; and
3. the domain name has been registered and is being used in bad faith.

Firstly, the disputed domain name is confusingly similar to a trademark in which the Complainant has rights (Para.4(a)(i) of the Policy). The Complainant has provided evidence and proved to be the owner of several Patek and Patek-Philippe trademarks in various jurisdictions. The second Complainant has in the US, where the Respondents resides, a valid word trademark PATEK-PHILIPPE.

The Panel finds that the Respondent registered a disputed domain name which is almost identical to the famous Complainant's trademarks. The disputed domain name <patek-us.com> is composed of:

A root reproducing the word trademark “PATEK”, in addition to the geographic term “US”, associated with the Top-Level Domain “.com”.

The distinctive trademark PATEK is “the dominant portion of the domain name,” see CAC UDRP 103970 - BOEHRINGERINGELHEIMONLINE.COM, Case LEGO Juris A/S v. Domain Tech Enterprises, WIPO Case No. D2011-2286, or where the trademark in the domain name represents “the most prominent part of the disputed domain name which will attract consumers’ attention.”, see Kabushiki Kaisha Toshiba dba Toshiba Corporation v. WUFACAI, WIPO Case No. D2006-0768. See also UDRP-107490 - saint-gobaini-us.com, within which it is stated that "The Complainant further argues that the disputed domain name <saint-gobain-us.com> is confusingly similar to the SAINT-GOBAIN trademark, as it fully incorporates the mark, with the mere addition of the geographic term “US” and the “.com” gTLD. The Panel concurs with the Complainant’s position and concludes that the disputed domain name is confusingly similar to the SAINT-GOBAIN trademark".

Therefore, the generic word part "us" of the disputed domain name is a geographical term for “United States” and its international abbreviation and is not distinctive. The TLD .com does not affect the domain name for the purpose of determining whether it is identical or confusingly similar. It does not prevent the likelihood of confusion between the disputed domain name and the Complainants, their trademark and their associated domain names. Please see WIPO Case No. D2006-0451, F. Hoffmann-LaRoche AG v. Macalve e-dominios S.A.

Secondly, the Respondent lacks rights or legitimate interests in the disputed domain name (Para. 4(a)(ii) of the Policy).

Under the Policy, a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. Once such a prima facie case is made, the burden of production shifts to the respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such appropriate allegations or evidence, a complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the Policy (see WIPO Overview 2.0, paragraph 2.1). According to the Complainants, the Respondent has no rights to the disputed domain name, and any use of the trademark PATEK and PATEK-PHILIPPE has to be authorized by the Complainants. The Respondent has not been authorized or licensed by the Complainants to use the disputed domain name. There is, concerning the disputed domain name given evidence with annex to the complaint, no legitimate interest shown by the Respondent. The Panel thus takes the view that the Respondent lacks rights or legitimate interests in the disputed domain name.

Thirdly, the disputed domain name has been registered and is being used in bad faith (Paragraph 4(a)(iii) of the Policy).

The Panel agrees with the Complainants that its trademark PATEK and also PATEK-PHILIPPE is distinctive and well known and finds that the disputed domain name is confusingly similar to the Complainant's well-known trademark. It is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's trademark. The Complainant’s use and registration of the trademark largely precede the registration date of the disputed domain name. The fact that the Respondent registered the disputed domain name adding as suffix a generic geographical term "-us" clearly indicates that the Respondent had knowledge of the Complainant’s trademark at the time of registration of the disputed domain name. It is reasonable to conclude that this is evidence of registration of the domain name in bad faith.

The fact that a complainant’s trademark has a strong reputation and is widely used and the absence of evidence whatsoever of any actual or contemplated good faith use are further circumstances that may evidence bad faith registration and use in the event of passive use of domain names (see section 3.3, WIPO Overview 3.0).

In addition, the Policy defines that one of the actions which constitute bad faith pursuant to paragraph 4(b)(iv) of the Policy is the use of the domain name to intentionally attempt to attract, for commercial gain, Internet users to a website, by creating a likelihood of confusion with the complainant's trademark as to the source, sponsorship, affiliation, or endorsement of respondent's website or location or of a product or service on respondent's website or location.

The Panel believes it is likely that this was at least one of the reasons behind the Respondent’s registration and use of the disputed domain name. Accordingly, the Panel finds that the Respondent has engaged in an evident squatting activity to cause confusion

with the Complainant’s trademark for their own commercial gain, and therefore the disputed domain name was registered and is being used in bad faith within the meaning of Paragraph 4(a)(iii) of the Policy.

For all reasons stated above, the Panel is satisfied that the Complainants have proven the third element of the Policy that is that the Respondent's registration and use of the disputed domain name in bad faith.

Pursuant to Rule 15 of the UDRP Rules, the Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the UDRP Policy, the UDRP Rules, and any rules and principles of law that the Panel deems applicable.

For the foregoing reasons, and noting that the Respondent has not provided a Response to refute any of the allegations and evidence produced by the Complainants in these proceedings, the Panel finds that the Complainants have made a prima facie showing of the Respondent’s lack of rights or legitimate interests. At the same time the Complainants have made a prima facie showing that the Respondent has registered and is using the disputed domain name in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **patek-us.com**: Transferred

PANELLISTS

Name	**Harald von Herget**

DATE OF PANEL DECISION 2026-01-13

Publish the Decision