Decision for dispute CAC-UDRP-108390

Case number	CAC-UDRP-108390
Time of filing	2026-02-17 10:02:40
Domain names	jaegerbrand.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Marks & Spencer PLC
Organization	Marks & Spencer (Jaeger) Limited

Complainant representative

Organization	Stobbs IP

Respondent

Name	yining fan

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 owns multiple registered trade marks for JAEGER, including:

- EU Trade Mark No. 000844001 (registered in 1999);
- UK Trade Mark No. UK00002412085 (registered in 2006);
- US Trade Mark No. 3615898 (registered in 2009).

The JAEGER brand dates back to 1884 and was acquired by the Complainant in 2021.

The Complainant owns and operates various domain name registrations making use of the JAEGER mark, namely:

- co.uk;
- london;
- uk;
- com;
- com;

- co.uk;
- co.uk;
- com;
- uk;
- jaeger-london.uk;
- jaeger-mail.com;
- com;
- mail-jaeger.co.uk;
- mail-jaeger.uk;
- email-jaeger.co.uk;
- email-jaeger.uk.

FACTUAL BACKGROUND

The Complainant is Marks and Spencer plc, a well-known multinational retailer headquartered in London, United Kingdom, together with its subsidiary Marks and Spencer (Jaeger) Limited. The Complainant operates a substantial international retail business specialising in clothing, beauty, home, and food products.

Marks and Spencer plc was founded in 1884 and, as of 2026, operates over 1,000 stores in the United Kingdom, as well as hundreds of additional locations internationally. The Complainant also maintains a significant online presence, offering its products to customers in over 100 countries through a network of dedicated websites.

The JAEGER brand was originally established in 1884 and has a long-standing reputation for high-quality clothing and distinctive British style. In January 2021, the Complainant acquired the JAEGER brand and subsequently relaunched it as part of its “Brands at M&S” strategy. Since that time, the Complainant has actively promoted and commercialised the JAEGER brand both online and through its retail operations.

The Complainant is the owner of numerous trade mark registrations for the sign JAEGER in multiple jurisdictions, including, inter alia, the United Kingdom, the European Union, and the United States. These registrations cover a range of goods and services, including clothing in Class 25, and predate the registration of the Disputed Domain Name by many years.

In addition, the Complainant owns and operates a substantial portfolio of domain names incorporating the JAEGER mark, as well as maintaining a strong presence across social media platforms, where it promotes its products and brands to a wide audience of consumers.

The Disputed Domain Name, <jaegerbrand.com>, was registered in August 2025.

At the time of the Complaint, the Disputed Domain Name resolved to a website that prominently featured the Complainant’s JAEGER trade mark and branding, and which purported to offer JAEGER-branded products for sale. The Complainant submits, that this website is not authorised by the Complainant and imitates the Complainant’s official online presence.

The Complainant submits furthermore that the requirements of paragraph 4(a) of the Policy are satisfied.

First, the Disputed Domain Name is confusingly similar to the Complainant’s JAEGER trade mark. It incorporates the mark in its entirety together with the descriptive term “brand”, which does not prevent a finding of confusing similarity. On the contrary, the addition of “brand” reinforces the association with the Complainant and increases the likelihood of confusion. The “.com” gTLD is to be disregarded for the purpose of this assessment.

Second, the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant has not authorised the Respondent to use its JAEGER mark, and there is no evidence that the Respondent is commonly known by the name “Jaeger”. The Disputed Domain Name resolves to a website that impersonates the Complainant, prominently displays the JAEGER mark, and offers JAEGER-branded products without authorisation. Such use does in the view of Complainant not constitute a bona fide offering of goods or services, nor a legitimate non-commercial or fair use. The Respondent’s conduct fails to meet the criteria established in Oki Data Americas, Inc. v. ASD, Inc., as the website does not accurately disclose any lack of relationship and instead falsely suggests affiliation with the Complainant.

Third, the Disputed Domain Name was in the view of the Complainant registered and is being used in bad faith. Given the longstanding reputation of the JAEGER mark, it is inconceivable that the Respondent was unaware of the Complainant’s rights at the time of registration. The Respondent has clearly targeted the Complainant by incorporating its mark into the Disputed Domain Name and using it for an imitation website. By doing so, the Respondent has intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement, within the meaning of paragraph 4(b)(iv) of the Policy.

Accordingly, the Complainant requests that the Disputed Domain Name be transferred 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

A. Identical or Confusingly Similar

The Panel finds that the Complainant has established registered rights in the JAEGER trade mark.

The Disputed Domain Name, incorporates the Complainant's mark JAEGER in its entirety. It is well established that where a domain name wholly incorporates a complainant's trade mark, this is normally sufficient to establish confusing similarity for the purposes of the Policy (see WIPO Overview 3.0, section 1.7).

The only additional element in the Disputed Domain Name is the term "brand", which is a purely descriptive term. According to well-established UDRP precedent, the addition of such a term does not prevent a finding of confusing similarity (see WIPO Overview 3.0, section 1.8). On the contrary, in the present case, the term "brand" reinforces the association with the Complainant, as it directly relates to the Complainant's commercial identity and may lead Internet users to believe that the Disputed Domain Name refers to the official online presence of the JAEGER brand.

Accordingly, the Panel considers that the addition of the term "brand" increases, rather than diminishes, the likelihood of confusion.

Furthermore, it is well established that the generic Top-Level Domain ("gTLD") ".com" is a technical requirement of registration and is generally disregarded for the purpose of assessing confusing similarity (see WIPO Overview 3.0, section 1.11.1).

Taking all of the above into account, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's JAEGER trade mark.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, the Complainant must establish a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. Once such a prima facie case is made, the burden of production shifts to the Respondent to demonstrate rights or legitimate interests.

In the present case, the Panel finds that the Complainant has established such a prima facie case.

In particular, there is no evidence that:

the Respondent has been authorised, licensed, or otherwise permitted by the Complainant to use the JAEGER mark, whether in a domain name or otherwise;

the Respondent is commonly known by the name “Jaeger” or by any name corresponding to the Disputed Domain Name (within the meaning of paragraph 4(c)(ii) of the Policy); or

the Respondent is making a legitimate non-commercial or fair use of the Disputed Domain Name without intent for commercial gain (paragraph 4(c)(iii) of the Policy).

In the absence of any Response, the Panel may draw appropriate inferences from the unrebutted evidence presented by the Complainant.

The evidence shows that the Disputed Domain Name resolves to a website that:

prominently displays the Complainant’s JAEGER trade mark and branding;

offers for sale purported JAEGER-branded goods; and

presents itself in a manner that imitates or impersonates the Complainant’s official online presence.

The Panel finds that such use is inherently misleading and designed to create the false impression of affiliation with, or endorsement by, the Complainant.

Such conduct cannot constitute a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy.

As stated in WIPO Overview 3.0, section 2.13.1, the use of a domain name for illegal activity — including impersonation, passing off, or the sale of counterfeit or unauthorised goods — can never confer rights or legitimate interests on a respondent.

The Panel considers that the Respondent’s conduct falls squarely within this category. By using the Disputed Domain Name to host an impersonation website offering goods under the JAEGER mark without authorisation, the Respondent is engaging in deceptive commercial activity.

For the foregoing reasons, the Panel finds that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Paragraph 4(a)(ii) of the Policy is satisfied

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, the Complainant must demonstrate that the Disputed Domain Name has been both registered and used in bad faith. The Panel finds that both elements are satisfied in the present case.

1. Bad Faith Registration

The Panel considers it inconceivable that the Respondent was unaware of the Complainant’s rights in the JAEGER mark at the time of registration.

In particular:

The JAEGER mark is long-established, dating back to 1884, and has been used extensively in commerce for over a century;

The Complainant owns multiple registered trade marks for JAEGER across key jurisdictions, all of which pre-date the registration of the Disputed Domain Name by many years;

The Complainant maintains a significant global and online presence, such that a simple Internet search for “Jaeger” returns results relating to the Complainant and its brand;

The Disputed Domain Name was registered only in August 2025, long after the Complainant’s rights had become well established.

Further, the Panel places significant weight on the fact that:

the Disputed Domain Name incorporates the Complainant’s mark in its entirety; and

the associated website reproduces the Complainant’s branding and offers goods under the JAEGER name.

These circumstances demonstrate that the Respondent did not merely register the Disputed Domain Name coincidentally, but rather deliberately targeted the Complainant’s trade mark.

Consistent with established UDRP precedent, where a domain name is so obviously connected with a well-known mark, its very registration by an unauthorised party may itself be indicative of bad faith (see WIPO Overview 3.0, section 3.1.4).

The Panel therefore concludes that the Disputed Domain Name was registered in bad faith.

2. Bad Faith Use

The Panel further finds that the Disputed Domain Name has been used in bad faith.

The evidence shows that the Respondent has used the Disputed Domain Name to host a website which:

imitates the Complainant's official website and branding;

prominently displays the JAEGER mark; and

offers for sale purported JAEGER-branded goods without authorisation.

Such use is clearly intended to mislead Internet users into believing that the website is operated by, affiliated with, or endorsed by the Complainant.

The Panel finds that this conduct constitutes a classic example of bad faith under paragraph 4(b)(iv) of the Policy, namely:

using 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 mark as to source, sponsorship, affiliation, or endorsement.

Moreover, the use of a domain name for impersonation or passing off further reinforces a finding of bad faith (see WIPO Overview 3.0, section 3.1.4 and 3.4).

The Panel also considers that the nature of the Disputed Domain Name — combining the Complainant's mark with the term "brand" — exacerbates the likelihood of confusion and supports a finding that the Respondent's conduct is intentionally deceptive.

For the foregoing reasons, the Panel concludes that 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.

Paragraph 4(a)(iii) of the Policy is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **jaegerbrand.com**: Transferred

PANELLISTS

Name	**Jan Schnedler**

DATE OF PANEL DECISION 2026-03-23

Publish the Decision