

Decision for dispute CAC-UDRP-108847

Case number	CAC-UDRP-108847
Time of filing	2026-07-23 09:14:30
Domain names	lorospiana-turkiye.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)
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Complainant

Organization	Loro Piana S.p.A.
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Complainant representative

Organization	Barzanò & Zanardo Milano S.p.A.
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Respondent

Name	Kristian Behrens
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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 registered owner of trademarks consisting of or containing LORO PIANA, including:

International Registered Trademark Number 1769387 for the word mark LORO PIANA, registered on July 26, 2023, in Classes 9, 14, 18, 23, 24, 25, 28, and 35, designated in respect of the following countries or territories in which grant of protection has been awarded to date: Armenia, Australia, Azerbaijan, Bahrain, Brazil, Georgia, Indonesia, Japan, Jersey, Kazakhstan, Kyrgyzstan, Monaco, Morocco, Russian Federation, Serbia, Singapore, Switzerland, Türkiye, Ukraine, United Kingdom, and Viet Nam; and

European Union Registered Trademark Number 7383136 for the figurative mark LORO PIANA and design, registered on June 9, 2009, in Classes 9, 14, and 35.

FACTUAL BACKGROUND

Founded in 1924, the Complainant is an Italian company specialized in clothing and textile products and is regarded as one of the largest cashmere manufacturers and a leading artisan company processing luxury fibers. The Complainant has a total of 152 stores, of which 135 are directly operated. It has secured locations for further units in in the Middle East and United States of America which are scheduled to open in the next 12 months. The Complainant is also active on its own website, which uses the domain name <loropiana.com>.

The Complainant is reported to have reached EUR 1 billion in sales in 2019.

The Complainant maintains a substantial following on social media, namely 201,230 followers on Facebook, and 3,000,000 followers on Instagram. The Complainant's promotions have been covered prominently in the mainstream fashion media, evidence of which the Complainant produces.

The disputed domain name <lorospiana-turkiye.com> was registered on March 31, 2026, and resolves to a website having the appearance of an official website of the Complainant, notably reproducing the Complainant's figurative trademark and the look and feel of the Complainant's official website, and claiming to offer the Complainant's products for sale, although the Complainant asserts that the clothing concerned is not its product and is counterfeit.

PARTIES CONTENTIONS

Complainant:

The disputed domain name is confusingly similar to the Complainant's LORO PIANA trademark because it contains said mark, with the addition of the letter "s", combined with letters representing the geographic term Türkiye (absent capitalization and the accent that cannot be reproduced in such disputed domain name). This term, rather than excluding similarity with said trademark, increases the likelihood of confusion, since it could refer to a specific country, and to consumers in such country. The addition of the domain name extension has no impact in the confusing similarity assessment since it merely has a technical function.

The Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent is not an authorized dealer, agent, distributor or reseller of the Complainant nor has been authorized to register and use the Complainant's trademark in a domain name. The disputed domain name leads to an active website which reproduces part of the images of the Complainant's official marketing campaigns with a very similar layout to that of the Complainant's official website, and using the Complainant's figurative trademark, whereby the disputed domain name has been registered and used with the specific aim of misleading potential consumers in order to push them into purchasing counterfeit goods.

The disputed domain name was registered and is being used in bad faith.

The Respondent has registered the disputed domain name containing a well-known third party's trademark without any authorization by the holder. The Respondent could not ignore the existence of such trademark at the time of the registration of the disputed domain name, not only because of such well-known status, but also in consideration of the type of domain name (consisting of the trademark and a term that potential consumers may very well associate with the Complainant's activity) and of the content of the associated website.

The disputed domain name redirects to a website that offers counterfeit LORO PIANA goods and depicts copyright pictures taken from the Complainant's official website. This kind of use is not a use in good faith. It may cause (and has effectively caused) substantial damages not only to the Complainant, but also to consumers. The Complainant's image and reputation is strongly affected by very similar websites to the official one, offering for sale low quality counterfeit goods. Consumers will share confidential information when they pay for goods on such site, with the concrete risk that this information is stolen and used fraudulently.

It appears that the disputed domain name was registered and is being used intentionally to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of such website and of products on such website.

Respondent:

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).

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

The Complainant has provided evidence affirming that it is the registered owner of the LORO PIANA trademark. The composition of the disputed domain name, in its second level, is a close typographical variant of the Complainant's said trademark with the interspersions of the letter "s" in such mark, followed by a hyphen, together with the term "turkiye", representing the geographical location, Türkiye.

The dominant element of the disputed domain name is the Complainant's trademark, albeit in variant form, and the addition of the hyphen and the said geographic term does not of itself prevent a finding of confusing similarity. A domain name which, as here, consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. Examples of such variations can include, as here, the addition or interspersions of other terms. Under the second and third elements of the Policy, panels will also normally find that employing a misspelling in this way signals an intention on the part of the respondent (typically corroborated by infringing website content) to confuse users seeking or expecting the complainant. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.9.

The generic Top-Level Domain ("gTLD") ".com" of the disputed domain name is typically disregarded under the first element test. WIPO Overview 3.1, section 1.11.1.

In light of the above assessment, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

With regard to the second element of the Policy, the Complainant asserts that the Respondent is not an authorized dealer, agent, distributor or reseller of the Complainant nor has been authorized to register and use the Complainant's trademark in a domain name, and that the website associated with the disputed domain name reproduces certain copyright images of the Complainant's official marketing campaigns with a very similar layout to that of the Complainant's official website, and uses the Complainant's figurative trademark, all without the Complainant's permission. The Complainant further asserts that the disputed domain name has been registered and used with the specific aim of misleading potential consumers in order to push them to purchase counterfeit goods. It has also been noted by the Panel above that the disputed domain name is a typographical variant of the Complainant's mark coupled with a geographic term. The disputed domain name thus is being used to impersonate the Complainant, particularly to consumers in the geographic location represented by the additional term in the disputed domain name.

The Panel finds that the Complainant's assertions and the Panel's observation, taken together, are sufficient to constitute the requisite prima facie case that the Respondent has no rights and legitimate interests in the disputed domain name (see, for example, section 2.1 of the WIPO Overview 3.1). In particular, the Panel considers that the disputed domain name is more probably than not a typosquatted or intentionally registered typographical variant of the Complainant's trademark which is intended to take unfair advantage of Internet users' typographical errors in typing the Complainant's mark or corresponding official domain name, to cause confusion in the selection of a hyperlink, or otherwise to impersonate the Complainant, particularly targeted towards consumers based in the location represented by the additional geographic term in the disputed domain name. It follows that the disputed domain name has been created and is being used for the purposes of typosquatting, and this strongly suggests a lack of rights and legitimate interests on the Respondent's part.

The website associated with the disputed domain name offers goods bearing to be those of the Complainant for sale, under the Complainant's figurative mark. The composition of the disputed domain name suggests that the included typographical variant of the Complainant's trademark is intended to capture Internet traffic which seeks the Complainant's official website. The appearance of the associated website mimics the appearance of the Complainant's official website, which uses the domain name <loropiana.com>. Such impersonation cannot be fair. With regard to whether the Respondent would be entitled to sell official goods of the Complainant under such domain name (noting also in any event that the Complainant asserts that any such goods featured on said website are counterfeit) the Respondent would not meet the cumulative requirements of the "Ok! Data test" (WIPO Overview 3.1, section 2.8.1) in that the site does not accurately and prominently disclose the registrant's relationship with the trademark holder (as far as the Panel can tell) and the Respondent has not attempted to show otherwise.

As the Panel has noted in a previous case under the Policy, this Panel does not subscribe to the "Lost Mary" criteria which sought to revise the Ok! Data test (see: Dashing Joys Ltd v. Mohammed Zafar, CAC UDRP 107605). The Panel has found the proposed revision, which relies on the panel's stated opinion that "almost 25 years after the Ok! Data decision, the public is accustomed to the

Internet and is sufficiently wise to distinguish an official trademarked website from that of a reseller” to be too broad. This Panel’s opinion is that the Oki Data test has served Policy jurisprudence remarkably well for approaching a quarter of a century and, fundamentally, that there are no grounds for revision. The Panel does not consider that there has been any change of circumstances in this period regarding the general public’s ability to distinguish between official and unofficial websites which should necessarily alter the requirement for purported resellers’ websites to indicate their status clearly to that public. The reseller’s duty to provide such an indication is what must govern the matter in this Panel’s view, not any perceived level of sophistication of the Internet user, which by its nature will be highly variable. It cannot be overlooked that the Oki Data test survives in the latest iteration of the WIPO Overview of consensus views of panels under the Policy, namely version 3.1, and the Panel has applied it here.

The Respondent has not replied to the Complainant’s allegations and evidence in this case and has failed to set out any alleged rights or legitimate interests which it might have claimed in the disputed domain name. There are no submissions or evidence on the record which might serve to rebut the Complainant’s prima facie case. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

The Panel finds that the disputed domain name has been registered and is being used in bad faith.

The Panel is of the opinion that the Complainant’s mark is both distinctive and well-established. The Panel finds that the disputed domain name is an intentionally designed typosquatting variant of the Complainant’s mark together with a geographic identifier most probably intended to capture the interest of consumers in a particular location. In these circumstances, it is entirely reasonable to infer that the disputed domain name was registered by the Respondent with knowledge of the Complainant and its rights, and with an intent to target these.

The Complainant claims that the disputed domain name is being used to sell counterfeit material. In the opinion of the Panel, this raises a reasonable case for the Respondent to answer, which it has failed to do here. As far as the Panel is concerned, this points in the direction of bad faith. Of further concern is the fact, noted above, that the disputed domain name represents a typographical variant of the Complainant’s trademark (together with a geographic location), suggesting that it is intended to capture Internet users by confusion. Such confusion is not dispelled by the website content (as far as the Panel can tell) in that this bears to be an official website of the Complainant, reproducing the Complainant’s figurative mark in a similar look and feel, with what the Complainant says are copyright photographs of its products that have been used without the appropriate permission. The Panel therefore finds that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of such website, conform to paragraph 4(b)(iv) of the Policy.

In all of these circumstances, the Panel considers that the Complainant has made out a sufficient case of registration and use in bad faith under the Policy. The Respondent has not filed a Response in this case and therefore has made no rejoinder to the Complainant’s assertions of bad faith registration and use. No explanation has been presented by the Respondent that might have suggested that its actions regarding the disputed domain name were in good faith, and the Panel has been unable to identify any conceivable good faith motivation which the Respondent might have put forward for its registration and use of the disputed domain name.

Consequently, the Panel finds that the disputed domain name has been registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. **lorospiana-turkiye.com**: Transferred

PANELLISTS

Name	Andrew Lothian
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DATE OF PANEL DECISION 2026-08-21

Publish the Decision