# Decision for dispute CAC-UDRP-108939

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| Case number | CAC-UDRP-108939 |
| Time of filing | 2026-08-24 09:41:27 |
| Domain names | kristinaromanova.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Name | Kristina Romanova |

## Complainant representative

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| Organization | HSS IPM GmbH |

## Respondent

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| Organization | Garwat Creative Studio |

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 does not own any registered trademark rights in KRISTINA ROMANOVA. The Complainant relies on unregistered trademark rights in her personal name, KRISTINA ROMANOVA.

FACTUAL BACKGROUND

The Complainant is a fashion model, entrepreneur and business executive. She began her modelling career around 2010 and has worked with internationally recognised fashion and luxury brands, including Ralph Lauren, Marc Jacobs, Alexander McQueen, Dolce & Gabbana and Vera Wang. Since 2020, the Complainant has also held a senior leadership role at Aman Essentials, where she currently serves as Chief Executive Officer and Creative Director and is involved in the development and promotion of luxury consumer products in the fashion, beauty and lifestyle sectors.

The Respondent had researched the Aman brand and the Complainant before registering the disputed domain name. After the Respondent contacted the Complainant, stating that he had created the website as a birthday gift and tribute to the Complainant.

The disputed domain name was registered on June 7, 2026. The disputed domain name initially resolved to a website displaying the Complainant's name, photographs, biographical information and links to the Complainant's social media accounts. The Respondent offered to transfer the disputed domain name to the Complainant in exchange for fair and reasonable consideration. The

Complainant requested that the Respondent deactivate the website and transfer the disputed domain name to the Complainant. The Respondent deactivated the website. The Parties thereafter waited for the expiry of the registrar transfer lock. Following its expiry in August 2026, the Respondent did not transfer the disputed domain name and reiterated his request for fair and reasonable consideration, without specifying any particular amount. The disputed domain name was subsequently listed for sale on the GoDaddy Marketplace for USD 4,100. Thereafter, the disputed domain name resolved to a webpage entitled “Kristina Romanova – Name, Meaning, History & Notable People”, which referred to the Complainant’s modelling career. At the time of this Decision, the disputed domain name no longer resolves to an active website.

## PARTIES CONTENTIONS

**The Complainant**

The Complainant asserts that each of the elements enumerated in paragraph 4(a) of the Policy and the corresponding provisions in the Rules have been satisfied. In particular, the Complainant asserts that:

(1) the disputed domain name is identical to the Complainant’s unregistered KRISTINA ROMANOVA trademark. The Complainant submits that her personal name has acquired secondary meaning through more than fifteen years of continuous commercial use in the fashion, beauty and luxury sectors. The Complainant has worked as an international model and in advertising and endorsement campaigns for numerous well-known fashion and luxury brands, and currently serves as CEO and Creative Director of Aman Essentials. The Complainant further relies on extensive international media coverage and social media recognition as evidence that the name KRISTINA ROMANOVA functions as a source identifier for her commercial activities. The addition of the “.com” extension does not prevent confusion;

(2) the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not commonly known by the name “Kristina Romanova” and has not been licensed, authorized or otherwise permitted by the Complainant to use her name or to register the disputed domain name. The Respondent initially used the disputed domain name, displaying the Complainant’s name, photographs, biographical information and links to the Complainant’s social media accounts. The Respondent’s characterization of the website as a “fan” or “gift” website does not establish a legitimate noncommercial or fair use, particularly because the disputed domain name consists exclusively of the Complainant’s personal name and therefore creates a risk of implied affiliation. The Respondent’s request for compensation and the listing of the disputed domain name for sale for USD 4,100 are inconsistent with a legitimate noncommercial purpose;

(3) the disputed domain name was registered and is being used in bad faith. By registering the disputed domain name after having researched the Aman brand, the Complainant and her family, and by incorporating the KRISTINA ROMANOVA mark in its entirety, the Respondent deliberately targeted the Complainant. The Respondent’s request for fair and reasonable consideration, references to the value of the disputed domain name and third-party inquiries, and the subsequent listing of the disputed domain name for sale for USD 4,100, refutes the Respondent’s assertion that the disputed domain name was registered and used as a gift and instead demonstrates an intention to commercially monetize its association with the Complainant. The subsequent use of the disputed domain name for a webpage entitled “Kristina Romanova – Name, Meaning, History & Notable People” constitutes further evidence of ongoing bad-faith use. Such use of the disputed domain name creates the false impression that the website is an official or authorized website of the Complainant and is intended to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website, within the meaning of paragraphs 4(b)(i) and 4(b)(iv) of the Policy.

The Complainant requests transfer of the disputed domain name.

**The Respondent**

The Respondent has filed the response to the Complaint.

The Respondent submits that the disputed domain name was registered with the intention that it would ultimately be transferred to the Complainant. The initial website was created as a fan-made birthday gift and included a disclaimer indicating its unofficial nature. After expiry of the registrar transfer lock, the Respondent’s request for compensation was intended only to cover the costs, time and effort invested in registering the disputed domain name and developing the website, without specifying any particular amount. The Respondent also refers to having received several third-party inquiries but states that none was accepted. The Respondent acknowledges that the disputed domain name was later listed for sale on GoDaddy for USD 4,100, but maintains that the listing was made out of frustration and was removed shortly thereafter. The Respondent denies that the disputed domain name was registered or used in bad faith and requests that the Panel take these circumstances into account.

The Respondent does not seek to retain or continue using the disputed domain name.

## 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

**Substantive issues**

To succeed, in a UDRP complaint, a complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as following:

1) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark in which a complainant has rights;

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

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

The Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules but did not do so within the prescribed time limit. On September 17, 2026, the Respondent submitted a late Response through a Non-Standard Communication.

Pursuant to paragraphs 10, 12 and 14 of the Rules, the Panel issued a Procedural Order inviting the Respondent to explain the reasons for the delay, including any exceptional circumstances relied upon, and to provide any supporting evidence and further submissions on the merits. The Respondent submitted a response to the Procedural Order within the time prescribed by the Panel. The Complainant subsequently submitted comments addressing the Respondent’s late filing and the explanations provided.

Having considered the circumstances and the Parties’ submissions, the Panel has decided to admit and consider the Respondent’s late Response and subsequent submission. The Complainant nevertheless bears the burden of establishing each of the three elements required under paragraph 4(a) of the Policy.

The Panel has taken note of the WIPO Overview of WIPO Panel Views on Select UDRP Questions, Edition 3.1 (“WIPO Overview 3.1”) and, where appropriate, will decide consistent with the consensus views captured therein.

**A. Identical or Confusingly Similar**

According to paragraph 4(a)(i) of the Policy, it should be established that the disputed domain name is identical or confusingly similar to a mark in which the Complainant has rights.

Before analyzing whether the disputed domain name is identical or confusingly similar to a mark, the Panel must first consider whether Complainant's personal name arises to the level of a trademark or service mark in which she has rights, as required by paragraph 4(a)(i) of the Policy. Complainant's arguments rely solely on common law trademark rights, as Complainant cites no relevant trademark registrations.

As set forth in section 1.5 of WIPO Overview 3.1, "Where a personal name is being used as a trademark (i.e., as a source-identifier in trade or commerce), the complainant may be able to establish unregistered or common law rights in the name for purposes of standing to file a UDRP case where the name is used in commerce as a distinctive identifier of the complainant's goods or services".

Further, as set forth in section 1.3 of WIPO Overview 3.1:

1. To establish unregistered or common law trademark rights for purposes of the UDRP, the complainant must show that

its mark has become a distinctive identifier which consumers associate with the complainant's goods and/or services.

2. Relevant evidence demonstrating such acquired distinctiveness (also referred to as secondary meaning) includes a range of factors such as (i) the duration and nature of the use of the mark (which may include social media presence and engagement), (ii) the amount of sales under the mark and during which time period, (iii) the nature and extent of advertising using the mark - including evidence of expenditures over a relevant time period, (iv) the degree of actual public (e.g., consumer, industry such as trade and professional associations, media) recognition, and (v) consumer surveys. The fact that a respondent is shown to have been targeting the complainant's mark (e.g., based on the manner in which the mark is used on the related website or impersonating documents or other instruments) may also support the complainant's assertion and evidence that its mark has achieved significance as a source identifier.
3. The claimed mark must also be used as a source identifier of goods or services e.g., on a website or on products or packaging used in commerce, provided that the mark, as used, is linked to the goods or services that are being branded with the mark; this may include use by the complainant on letterhead or invoices or email headers and signatures.
4. Specific evidence including for example documented evidence of figures relating to sales, marketing, and/or social media endorsements supporting assertions of acquired distinctiveness should be included in the complaint; conclusory allegations of unregistered or common law rights, even if undisputed in the particular UDRP case, would not normally suffice to show secondary meaning.

Applying these principles to the present case, the Panel accepts that the Complainant has had a substantial professional career and has achieved significant recognition in the fashion, beauty and luxury sectors. The evidence demonstrates that the Complainant has worked as an international model for numerous fashion and luxury brands for many years and has appeared in commercial advertising campaigns. The issue, however, is not whether the Complainant has used her personal name in a commercial context, but whether the evidence establishes that KRISTINA ROMANOVA itself has acquired source-identifying significance for particular goods or services.

In support of her claimed rights, the Complainant relies, first, on her longstanding modelling and endorsement activities. The evidence includes the Complainant’s appearance as the face of the Vera Wang Princess fragrance campaign and her participation as a model in an Anna Sui advertising campaign.

The Panel accepts that such activities constitute commercial use of the Complainant’s personal name and are relevant to the assessment of acquired distinctiveness. However, the submitted materials principally identify KRISTINA ROMANOVA as the individual model appearing in advertising campaigns for goods marketed under third-party brands. This distinction was addressed in Vanisha Mittal v. info@setrillonario.com, WIPO Case No. D2010-0810, where the Panel emphasized “the difference between a personal name that is famous because of commercial activities and a personal name that is a mark because it has become distinctive in relation to goods or services”. The record does not contain specific evidence demonstrating the extent to which consumers have come to perceive KRISTINA ROMANOVA itself as a distinctive identifier of modelling, endorsement, or other services supplied by the Complainant.

The Panel has also considered the Complainant’s reliance on her role as CEO and Creative Director of Aman Essentials, her asserted equity interest in the business, and the media attention given to her involvement in the development and promotion of Aman Essentials products.

In Margaret C. Whitman v. Domains For Sale, WIPO Case No. D2008-1534, the Panel considered a similar argument based on the complainant’s fame and commercial prominence as President and CEO of eBay. The Panel emphasized that fame alone was insufficient and that the personal name had to be used in such a way that the relevant public recognized it as a symbol distinguishing the complainant’s services from those of others. The Panel further noted that, since the fundamental objective of trademark law is the protection of “the goodwill established in the minds of the relevant buying public”, the relevant question is whether the service recipients constitute “a segment of the public which purchases and benefits from a service provided by the owner of the mark”.

More recently, in Ryusaku Abe (Name Redacted) v. FlokiNET Ltd WhoisProtection, WIPO Case No. D2026-1145, the Panel applied the same distinction to a complainant relying on his public profile as an entrepreneur and company president. The Panel observed that **“to be known as a director of even a prominent and well known company is not sufficient”** to establish unregistered trademark rights. It further distinguished persons such as actors, authors and professional athletes, whose commercial activities may be directly linked to and recognizable by their personal names, from business executives where the company names, rather than the individuals’ personal names, function as the source identifiers of the relevant goods or services

The evidence establishes that the Complainant plays a significant executive and creative role in Aman Essentials, but does not establish that the relevant buying public purchases or receives services identified by the name KRISTINA ROMANOVA. Rather, the submitted materials consistently identify AMAN and AMAN ESSENTIALS as the commercial brands under which the relevant products and services are offered, while KRISTINA ROMANOVA identifies the individual executive, creative director, and spokesperson associated with those brands.

Even assuming that the Complainant’s executive and creative activities may constitute services in a broad sense, the record does not demonstrate that those services are marketed to the public under the KRISTINA ROMANOVA name or that consumers perceive that name as distinguishing their commercial source. The evidence therefore shows commercial prominence and professional

recognition of the Complainant, but not sufficient source-identifying use of her personal name.

The Panel further takes into account the Complainant's industry and media recognition. The evidence shows that the Complainant has been featured in a number of international fashion, beauty and business publications, including Harper's Bazaar UK, Numéro Netherlands, NewBeauty, Tatler Asia and Forbes. The evidence also shows that the Complainant appeared on the cover of Numéro Netherlands and was interviewed regarding both her modelling career and her role at Aman Essentials.

The Panel accepts that this evidence demonstrates a significant degree of media and industry recognition, which is expressly relevant under section 1.3 of the WIPO Overview 3.1. However, media recognition of an individual is not necessarily the same as consumer recognition of the individual's name as a trademark. The submitted materials predominantly use KRISTINA ROMANOVA to identify the person being interviewed, photographed, profiled, or discussed in connection with her professional activities rather than as a mark under which particular goods or services are offered.

The Complainant also relies on her substantial social media presence. The submitted Instagram evidence shows approximately 371,000 followers. However, the account operates under the handle "krissroma", describes the Complainant as a CEO and fashion and beauty enthusiast, and refers users to Aman Essentials, Aman and the Aman online shop. While this evidence further supports the Complainant's public recognition, it does not sufficiently demonstrate that consumers perceive KRISTINA ROMANOVA as a source identifier for particular goods or services.

Taken cumulatively, the evidence therefore establishes lengthy professional activity, commercial endorsements, substantial media exposure, social media recognition, and the Complainant's involvement in the development and promotion of commercial products. These circumstances weigh in the Complainant's favour under several of the factors identified in section 1.3 of the WIPO Overview 3.1. However, the evidentiary record does not include figures relating to sales of goods or services under the claimed KRISTINA ROMANOVA mark, advertising expenditures promoting goods or services under that mark, products or packaging bearing KRISTINA ROMANOVA as a brand, or comparable evidence demonstrating that consumers associate the name with a particular commercial source.

The cases relied upon by the Complainant are distinguishable. In Julia Fiona Roberts v. Russell Boyd, WIPO Case No. D2000-0210, the Panel found that the name JULIA ROBERTS had "sufficient secondary association" with an internationally famous motion-picture actress. In Jim Carrey v. BWI Domains, WIPO Case No. D2009-0563, the Panel expressly found that the use of the complainant's name in connection with his entertainment services provided "a strong indication of source". Those cases involved evidence that the personal names themselves had become identifiers of the complainants' professional entertainment services. By contrast, the evidence in the present case predominantly identifies KRISTINA ROMANOVA as the model appearing in campaigns conducted under third-party brands or as the executive and creative professional associated with products marketed under the AMAN and AMAN ESSENTIALS brands.

Halle Berry and Bellah Brands Incorporated v. Alberta Hot Rods, WIPO Case No. D2016-0256, is still further distinguishable. There, the record included registered HALLE BERRY trademarks and a HALLE BERRY fragrance line promoted under the complainant's own name and sold in more than 20 countries, in addition to decades of acting and endorsement activity. No comparable evidence of goods or services offered under the KRISTINA ROMANOVA mark has been submitted in the present proceeding.

Accordingly, while the Panel recognizes the Complainant's substantial professional, commercial and media profile, the evidence before the Panel does not establish, on the balance of probabilities, that KRISTINA ROMANOVA has acquired secondary meaning as a trademark or service mark for purposes of the Policy. The Complainant has therefore failed to establish rights in a trademark or service mark as required by paragraph 4(a)(i) of the Policy.

As the Complainant has failed to establish the first element of paragraph 4(a) of the Policy, it is unnecessary for the Panel to consider the second and third elements.

**B. Rights or Legitimate Interests and C. Registered and Used in Bad Faith**

While the Panel's finding in respect of the first element is determinative of the proceeding, the Panel considers it appropriate to comment briefly on the second and third elements.

The Respondent deliberately registered the disputed domain name incorporating the Complainant's exact personal name and initially used it for a website dedicated to the Complainant. Although the Respondent maintains that the website was created as a noncommercial gift, the Respondent subsequently requested compensation for the transfer of the disputed domain name and later listed it for sale on the GoDaddy Marketplace for USD 4,100. In the Panel's view, such conduct is difficult to reconcile with the Respondent's claimed purely noncommercial purpose and would weigh strongly against a finding of rights or legitimate interests.

The Respondent was also clearly aware of and specifically targeted the Complainant when registering the disputed domain name. The subsequent request for compensation and the USD 4,100 sale listing further support an inference that the Respondent sought to derive commercial benefit from the disputed domain name's association with the Complainant. These circumstances would weigh in favour of a finding of bad faith. These findings, however, cannot assist the Complainant in this proceeding, the Complainant having failed to establish the first essential element under paragraph 4(a) of the Policy.

**D. Reverse Domain Name Hijacking**

Paragraph 15(e) of the Rules provides that, where the Panel finds that a complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or primarily to harass the domain-name holder, the Panel shall declare that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere failure of a complaint is

not, in itself, sufficient to support such a finding. WIPO Overview 3.1, section 4.16.

Although the Complainant has failed to establish unregistered trademark rights in KRISTINA ROMANOVA, the Complaint was supported by evidence of the Complainant's longstanding modelling and endorsement activities, significant media recognition, and the Respondent's deliberate targeting of the Complainant. In addition, the Respondent subsequently sought compensation and listed the disputed domain name for USD 4,100. In these circumstances, the Panel does not consider that the Complaint was brought in bad faith or constituted an abuse of the administrative proceeding. Accordingly, the Panel declines to make a finding of Reverse Domain Name Hijacking.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Rejected

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

1. **kristinaromanova.com**: Remaining with the Respondent

## PANELLISTS

| Name | **Ganna Prokhorova** |
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DATE OF PANEL DECISION 2026-09-29

Publish the Decision