

Decision for dispute CAC-UDRP-109010

Case number	CAC-UDRP-109010
Time of filing	2026-09-18 12:18:37
Domain names	lecollectionist.org

Case administrator

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

Organization	Le Collectionist
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Complainant representative

Organization	Motsnyi IP Group (dba Motsnyi Legal)
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Respondent

Name	Adrian Chung
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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 owner of registered trademarks consisting of or incorporating the words "LE COLLECTIONIST" (the "Complainant's Trademarks"), including:

- French word trademark LE COLLECTIONIST, registration No. 5054795, filed on May 15, 2024 and registered on October 25, 2024;
- European Union word trademark LE COLLECTIONIST, registration No. 019050416, filed on July 4, 2024 and registered on January 10, 2025;
- French figurative trademark incorporating LE COLLECTIONIST, registration No. 5198740, filed on November 13, 2025 and registered on March 6, 2026; and
- International trademark LE COLLECTIONIST, registration No. 1871613, registered on June 3, 2025, designating Switzerland.

The registrations cover services in Classes 35, 36, 43 and 45, including services relating to property rental and temporary accommodation.

The Complainant's Trademarks establish the Complainant's rights for the purposes of paragraph 4(a)(i) of the Policy. The Panel has confirmed the validity and active status of the Complainant's Trademarks through publicly accessible online trademark databases.

FACTUAL BACKGROUND

FACTUAL BACKGROUND

The Complainant is a French company offering luxury travel experiences and villa rentals. It operates its official website at <lecollectionist.com>.

The disputed domain name <lecollectionist.org> was registered on April 4, 2026. The ICANN Lookup/RDAP record submitted as one of Annexes expressly indicates a creation date of April 4, 2026, at 13:06:02 UTC, and an expiration date of April 4, 2027.

However, in its verification dated September 20, 2026, the Registrar indicated April 4, 2027, as the date of registration of the disputed domain name by the current registrant. Since that date was still in the future at the time of the verification and corresponds exactly to the expiration date recorded in the records submitted by the Complainant, the Panel considers this to be an obvious clerical error, resulting from the Registrar having provided the expiration date instead of the registration date.

Accordingly, based on the registration evidence submitted by the Complainant, the Panel finds that the disputed domain name was registered on April 4, 2026.

The Registrar identified Adrian Chung, located in Hong Kong, as the registrant of the disputed domain name.

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

RIGHTS

The Complainant has demonstrated ownership of registered word trademarks LE COLLECTIONIST in France and the European Union, as well as additional registered trademarks incorporating the same expression. The first element of the Policy serves primarily as a standing requirement and involves a straightforward comparison between the trademark and the disputed domain name (WIPO Overview 3.1, section 1.7).

The second-level portion of the disputed domain name consists exclusively of "lecollectionist", which reproduces the Complainant's word trademarks in their entirety, omitting only the space between the words. This omission does not prevent a finding of confusing similarity. The generic Top-Level Domain ".org" is a standard registration requirement and is disregarded in this assessment (WIPO Overview 3.1, section 1.11.1).

NO RIGHTS OR LEGITIMATE INTERESTS

A complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. Once that case has been made, the burden of production shifts to the respondent to provide evidence of such rights or legitimate interests, while the overall burden of proof remains on the complainant (WIPO Overview 3.1, section 2.1).

The Respondent is identified by the registrar as Adrian Chung and is not shown to have been commonly known by the disputed domain name. The Complainant states that it has no relationship with the Respondent and has not licensed or otherwise authorized the Respondent to use the Complainant's Trademarks.

More importantly, the record shows that the Respondent used the disputed domain name for a website that closely reproduced the Complainant's official website, including the Complainant's branding and accommodation listings, and for email correspondence impersonating the Complainant in connection with a purported villa reservation and soliciting a wire-transfer payment. Such conduct is not a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor a legitimate noncommercial or fair use under paragraph 4(c)(iii). Panels have consistently held that copycat websites, impersonation, phishing and comparable fraudulent conduct cannot confer rights or legitimate interests (WIPO Overview 3.1, section 2.13.1).

The Complainant has therefore established a prima facie case, and the Respondent has not come forward with any evidence to rebut it. Consequently, the Complainant is deemed to have satisfied the second element.

BAD FAITH

Under the Policy, bad faith is broadly understood to involve taking unfair advantage of, or otherwise abusing, the complainant's trademark. Paragraph 4(b) sets out non-exhaustive circumstances evidencing registration and use in bad faith. Of particular relevance here is paragraph 4(b)(iv), relating to intentionally attracting Internet users for commercial gain through confusion as to the source, sponsorship, affiliation or endorsement of a website or other online location (WIPO Overview 3.1, sections 3.1 and 3.1.4).

Registration in bad faith

The Complainant's French and European Union word trademarks were registered in 2024 and January 2025, respectively, and its French figurative trademark was registered in March 2026, before the disputed domain name was registered on April 4, 2026. The Complainant also operated its website at <lecollectionist.com> for several years prior to the Respondent's registration.

The disputed domain name consists of the exact verbal element of the Complainant's Trademarks without a space. More decisively, the Respondent's subsequent use of the disputed domain name for a website closely reproducing the Complainant's own website, accommodation listings, images and branding shows that the Complainant was deliberately targeted. These circumstances exclude a plausible explanation that the domain name was selected by coincidence or without knowledge of the Complainant's rights.

The Panel therefore finds that the Respondent was aware of the Complainant and its Trademarks when registering the disputed domain name and registered the domain name in bad faith (see WIPO Overview 3.1, section 3.2.2).

Bad faith use

The evidence establishes that the disputed domain name resolved to a website presenting itself as the Complainant's website. The evidence provided by the Complainant shows the unauthorized reproduction of the Complainant's name, visual identity, property images and other website content. The resulting impression was that the disputed website was operated or authorized by the Complainant.

The use was not limited to the reproduction of a website. As demonstrated by Annex 8, an email account at the disputed domain name was used to communicate with a prospective customer about a villa reservation, confirm instructions for payment by wire transfer and request proof of payment. The correspondence used the Complainant's identity and corporate details. The customer contacted the Complainant directly to ask whether the booking was a scam. The evidence sufficiently demonstrates an attempt to exploit the Complainant's identity and trademark for commercial gain.

Panels have consistently regarded impersonation and mimicking the complainant's website as evidence of bad-faith use (WIPO Overview 3.1, section 3.1.4). Use of a domain name for deceptive email communications including for soliciting the payment may independently constitute bad faith, even apart from the content of a website (WIPO Overview 3.1, section 3.4). The Respondent's conduct falls within the circumstances contemplated by paragraph 4(b)(iv) of the Policy.

The evidence submitted by the Complainant indicates that the domain holder, or someone purporting to act on the holder's behalf, claimed that the website content had been corrected. The Panel notes this assertion but finds that it does not displace the evidence of the earlier impersonation and deceptive e-mails. Similarly, the fact that the disputed domain name did not resolve to an active website on September 17, 2026 does not negate its documented earlier use in bad faith.

The Complainant also submitted an earlier UDRP decision involving a respondent bearing the name Adrian Chung and located in Hong Kong, concerning different domain names registered with the same registrar. The Panel does not need to determine whether that respondent and the present Respondent are the same person, or whether a pattern of conduct within paragraph 4(b)(ii) has been established. The direct evidence in the present case independently establishes bad faith under paragraph 4(b)(iv).

In view of the totality of the circumstances, the Panel concludes that the disputed domain name was registered and has been used in bad faith. The third element has been satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. **lecollectionist.org**: Transferred

PANELLISTS

Name	Karel Šindelka
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DATE OF PANEL DECISION 2026-10-20

Publish the Decision