Decision for dispute CAC-UDRP-108902

Case number	CAC-UDRP-108902
Time of filing	2026-09-09 13:35:30
Domain names	studio-anneloes.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Coöperatie SNB-REACT U.A.

Respondent

Organization	WEQ ASD

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 holder of inter alia the following trademark registrations:

- The EU trademark word registration no. 016342552 for STUDIO ANNELOES, registered on 22 June 2017, for goods of classes 9, 14, 18 and 25; in particular class 25 for ‘‘clothing’’;
- The UK trademark word registration no. UK00916342552 for STUDIO ANNELOES, registered on 22 June 2017, for goods of classes 9, 14, 18 and 25; in particular class 25 for ‘‘clothing’’.

FACTUAL BACKGROUND

The Complainant, Studio Anneloes Holding B.V., is the parent company of Studio Anneloes B.V. and the owner of the Studio Anneloes brand, a Dutch women's fashion brand specializing in the design and sale of apparel. It was founded in 2006 by Anneloes van der Heijden.

The Complainant enjoys a strong presence in the Benelux and German fashion markets. Its collections are sold through its web shops, mobile app, and more than 300 physical stores. In 2025, Studio Anneloes became a Certified B Corporation, reflecting its commitment to responsible business practices, transparency, fair production, and environmental stewardship. Economically, the brand has experienced significant growth since its founding, with an annual online turnover of approximately €11 million.

The Complainant has been the owner of the STUDIO ANNELOES Trademarks since 22 June 2017. The disputed domain name was registered on 5 July 2026. The Complainant has exclusive trademark rights which predate the registration of the disputed domain name. In addition, the Complainant has been operating through the domain <studioanneloes.nl>, which was registered on May 1 2006. The corresponding website is used by the Complainant as a Dutch web shop where customers can purchase the Complainant’s products in the Complainant’s official web shop.

The disputed domain name incorporates the STUDIO ANNELOES Trademarks in its entirety, in combination with a hyphen.

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

According to Paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

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

(iii) the disputed domain name has been registered and is being used in bad faith.

The Panel has examined the evidence available to it and has come to the following conclusion concerning the satisfaction of the three elements of paragraph 4(a) of the Policy in these proceedings:

(i) RIGHTS AND CONFUSING SIMILARITY OR IDENTITY

The Complainant has established rights in the name STUDIO ANNELOES through trademark registrations and in domain and company names. The disputed domain name
<STUDIO-ANNELOES.COM> is found to be confusingly similar to the Complainant’s trademark. This finding is based on the settled practice in evaluating the existence of a likelihood of confusion of:

1. a) disregarding the top-level suffix in the domain name (i.e. “.com”); and
2. b) finding that the addition of a non-distinctive element such as a hyphen between the two words would in no way be considered sufficient to distinguish a domain name from a trademark. The addition does not alter the recognizable and distinctive element of a trademark which is adopted in its entirety in the disputed domain name, thus making the trademark(s) and the domain name confusingly similar.

The disputed domain name is therefore found to be confusingly similar to the earlier right “STUDIO ANNELOES”, and the Panel concludes that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy.

(ii) NO RIGHTS OR LEGITIMATE INTERESTS

The onus to make out a prima facie case that the Respondent lacks rights or legitimate interests is placed on the Complainant. However, once such a prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy.

The Respondent is neither a licensee nor an authorized distributor of the Complainant and has received no permission – express or implied – to use the Complainant’s STUDIO ANNELOES trademarks or to register a domain name incorporating them. The Complainant has not granted the Respondent any rights to operate a domain name identical or confusingly similar to its trademarks.

The Respondent used the disputed domain name to promote the Complainant’s products for sale with an active shopping cart. It copied a substantial part of the Complainant’s website including a statement that the Complainant is the owner of the website and the terms of use of the Complainant. Such use clearly targets the Complainant’s consumers and is inherently illegitimate, as it implies that the Complainant’s goods are being sold by the Complainant, which is obviously not the case. Accordingly, such use cannot constitute a bona fide offering of goods or services, nor any legitimate non-commercial or fair use.

Previous Panels have held that the use of a domain name for illegal activity (e.g. phishing, scams, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent.

In summary, the Panel concludes that the Respondent did not establish any right or legitimate interest in the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy). The Complainant has therefore also satisfied the requirement under paragraph 4(a)(ii) of the Policy.

(iii) BAD FAITH

The Panel finds that the Complainant has established that the disputed domain name was registered by the Respondent and is being used by the Respondent in bad faith. For this purpose, the Complainant has successfully put forward prima facie evidence that the Respondent has not made use, or demonstrable preparations to use, of either the disputed domain name in connection with a bona fide offering of goods or services, or of making a legitimate non-commercial or fair use of the disputed domain name. This prima facie evidence was not challenged by the Respondent.

On the contrary, based on the use by the Respondent in copying large parts of the Complainant’s website to purportedly sell the Complainant’s products, it can reasonably be inferred that the Respondent has, from the outset, intentionally sought to exploit the Complainant’s trademark and reputation in order to derive an illicit commercial benefit. Other explanations do not appear feasible.

The Respondent’s decision to register a domain name identical to the Complainant’s distinctive mark cannot be reasonably viewed as coincidental. Instead, it reflects a calculated attempt to benefit from the Complainant’s reputation and to mislead users by appropriating the brand of another party. This conduct is carried out with the intent of obtaining a commercial advantage by inducing unsuspecting Internet users to access the website and click on unverified and potentially harmful links, thereby exposing them to significant security and reliability risks.

Considering that the disputed domain name itself incorporates the Complainant’s trademark in its entirety, it is untenable to suggest that the Respondent was unaware that it was making unauthorized use of the Complainant’s mark in both the domain name and the associated website content, especially in the light of the content copied directly from the Complainant’s website. This further demonstrates that the Respondent was fully aware of the Complainant’s brand and deliberately sought to associate its own offerings with it.

Despite this, the Respondent never sought authorization from the Complainant to use the trademark within the disputed domain name. On the contrary, the Respondent sought to exploit the mark’s notoriety without permission.

The factual context leaves little doubt that the Respondent was aware of the Complainant’s activities and deliberately sought to benefit from its commercial success.

The Panel therefore concludes that the Respondent has registered and is using the disputed domain name in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy). The Complainant has therefore also satisfied this requirement under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **studio-anneloes.com**: Transferred

PANELLISTS

Name	**Udo Pfleghar B.A. (Melb.)**

DATE OF PANEL DECISION 2026-10-20

Publish the Decision