

ADMINISTRATIVE PANEL DECISION

Omega SA and Swatch AG v. Domain Administrator, NameSilo, LLC; Chad Smith; hu luo; theones theones; 深圳市黑岩跨境电商科技有限公司; Lin Xiao; You Zhang; mike zhang; de hi; Ru lan; chen chen; YONGLONG YANG; Jianping Wang; 合肥柴鞋网络科技有限公司; Philip Jones; Chris Silva; Allen Yeung; and Li Li
Case No. D2023-3271

1. The Parties

The Complainants are Omega SA and Swatch AG, Switzerland, internally represented.

The Respondents are Domain Administrator, NameSilo, LLC (“Alias 1”), United States of America (“United States”); Chad Smith (“Alias 2”), United States; hu luo (“Alias 3”), Japan; theones theones (“Alias 4”), China; 深圳市黑岩跨境电商科技有限公司 (“Alias 5”), China; chen chen (“Alias 6”), China; de hi (“Alias 7”), China; Jianping Wang (“Alias 8”), China; Lin Xiao (“Alias 9”), China; mike zhang (“Alias 10”), China; Ru lan (“Alias 11”), China; YONGLONG YANG (“Alias 12”), China; You Zhang (“Alias 13”), China; 合肥柴鞋网络科技有限公司 (“Alias 14”), China; Philip Jones (“Alias 15”), United States; Chris Silva (“Alias 16”), Philippines; Allen Yeung (“Alias 17”), China; and Li Li (“Alias 18”), China.

2. The Domain Names and Registrars

The disputed domain names <fashionwatchomg.shop>, <omega-swatch.co>, <omega-swatch.online>, <omegaswatch.store>, <omegawatch.online>, <smartwatchomg.shop>, <swatchbrand.shop>, <swatchclub.shop>, <swatchesomega.shop>, <swatches.store>, <swatchmalls.shop>, <swatchmarket.shop>, <swatchomegadeals.shop>, <swatchomegaonline.shop>, <swatchomegasale.shop>, <swatchomegasales.shop>, <swatchomega.shop>, <swatchomegastore.com>, <swatchoomega.shop>, <swatchoomegashop.com>, <swatchxomega.com>, <swatchsale.com>, <swatchsales.shop>, <swatchshopping.com>, <swatchs.shop>, <swatchxomegadirect.shop>, <swatchxomega.shop>, and <swatchxomega.store> are registered with GoDaddy.com, LLC (“Registrar A”).

The disputed domain names <omegaswatches.com> and <swatchworld.shop> are registered with DNSPod, Inc. (“Registrar B”).

The disputed domain names <omega-stores.shop>, <omegaswatch.shop>, <swatch-ja.com>, <swatch-jp.com>, <swatch-jp.online>, <swatchtokyo.club>, <swatch-tokyo.net>, and <swatch-tokyo.xyz> are registered with NameCheap, Inc. (“Registrar C”).

The disputed domain name <swatch-official.com> is registered with NameSilo, LLC. (“Registrar D”)

(GoDaddy.com, LLC, DNSPod, Inc., NameCheap, Inc., and NameSilo, LLC are hereinafter referred to individually and collectively as the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 28, 2023. On July 31, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names (“the Domain Names”). On July 31 and August 1, 2023, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (owner of disputed domains) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 10, 2023, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity. The Complainant filed a first amended Complaint in English on August 16, 2023 requesting addition of new Domain Names and withdrawal of some Domain Names. On August 17, 2023, the Center sent by email to the Registrar a request for registrar verification in connection with the additional Domain Names. On August 17 and 18, 2023, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names. On August 25, 2023, the Complainant submitted a second amended Complaint in which it requested the withdrawal of some of the Domain Names.

On August 10 and 25, 2023, the Center informed the parties in Chinese and English, that the language of the registration agreement for two of the Domain Names (<swatchworld.shop> and <omegaswatches.com>) is Chinese. On August 16 and 25, 2023, the Complainant requested English to be the language of the proceeding. The Respondents did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amended Complaints satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondents in English and Chinese of the Complaint, and the proceedings commenced on September 15, 2023. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2023. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on October 6, 2023.

The Center appointed Karen Fong as the sole panelist in this matter on October 13, 2023. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant, Omega SA, (“Omega”) established in 1848, is the owner of the well-known watch brand OMEGA. Since 1965, the OMEGA Speedmaster has been worn on each of NASA’s piloted missions including all six moon landings. The Complainant has served as the Official Time keeper of the Olympic Games since 1932. The Complainant’s parent company is The Swatch Group Ltd and is the holding company of many world famous watch brands including SWATCH.

The Complainant, Swatch AG (“Swatch”), is the owner of the well-known watch brand SWATCH. It has a collectors market for its older products demonstrating brand loyalty of its customers. The Swatch Group Ltd is also its parent company. WIPO panels have acknowledged in a number of UDRP decisions that the SWATCH trade mark is a well known trade mark.

OMEGA and SWATCH are registered as trade marks in many jurisdictions throughout the world. The following were submitted in evidence:

- International Trade Mark Registration No. 132141, OMEGA, registered on August 11, 1947;
- International Trade Mark Registration No. 765501, OMEGA, registered on September 24, 2001;
- Chinese Trade Mark Registration No. 28865, OMEGA & Logo, registered on February 15, 1981;
- International Trade Mark Registration No. 506123, SWATCH, registered on September 9, 1986; and
- Chinese Trade Mark Registration No. 232954, SWATCH, registered on September 15, 1985.

(together, the “Trade Marks”).

On March 24, 2022, the Complainants announced a joint collaboration of “OMEGA x SWATCHG” and launched the Biocermaic “MOONSWATCH” collection, a collection of watches combining the famous OMEGA MOONWATCH with the SWATCH brand. These products which are highly demanded are produced in limited quantities and sold only in Swatch’s physical stores. They are neither distributed through Swatch’s authorized retailer network nor its online stores.

The details of the Domain Names and the websites they are/were connected to (the “Websites”) are set out below:

No	Domain Name	Creation Date	Registrant Alias No.	Registrar No.	Websites
1	swatch-official.com	2023/07/12	Alias 1	D	Omega x Swatch lookalike website
2	omegaswatch.shop	2023/05/17	Alias 2	C	Same as Domain Name 1
3	swatchtokyo.club	2022/11/03	Alias 3	C	Same as Domain Name 1
4	swatch-tokyo.xyz	2022/11/03	Alias 3	C	No evidence provided
5	swatch-ja.com	2023/07/31	Alias 3	C	No evidence provided
6	swatch-tokyo.net	2023/01/06	Alias 3	C	No evidence provided
7	swatch-jp.com	2022/06/24	Alias 4	C	Same as Domain Name 1
8	swatch-jp.online	2022/06/24	Alias 4	C	Same as Domain Name 1
9	swatchworld.shop	2023/05/27	Alias 5	B	Same as Domain Name 1
10	omega-swatch.online	2023/05/24	Alias 6	A	Same as Domain Name 1
11	omega-swatch.co	2023/05/22	Alias 6	A	Same as Domain Name 1
12	swatchmalls.shop	2023/05/15	Alias 7	A	Same as Domain Name 1
13	swatchs.shop	2022/07/12	Alias 8	A	Same as Domain Name 1

14	fashionwatchomg.shop	2023/05/24	Alias 9	A	Same as Domain Name 1 (redirection to domain name <shatlumeijaml.shop>
15	smartwatchomg.shop	2023/05/24	Alias 9	A	Same as Domain Name 1
16	swatchomega.shop	2023/05/08	Alias 9	A	Same as Domain Name 1
17	swatchomega.shop	2023/05/13	Alias 9	A	No evidence provided
18	swatchomegadeals.shop	2023/05/12	Alias 9	A	No evidence provided
19	swatchomegaonline.shop	2023/05/25	Alias 10	A	No evidence provided
20	swatchomegashop.com	2023/05/14	Alias 10	A	Same as Domain Name 1
21	swatchesale.com	2023/05/16	Alias 11	A	Same as Domain Name 1
22	swatchesales.shop	2023/06/07	Alias 11	A	No evidence provided
23	swatchshopping.com	2023/05/21	Alias 11	A	Same as Domain Name 1
24	swatchxomega.shop	2023/06/06	Alias 12	A	No evidence provided. According to a capture made by the Center on September 15, 2023, the website is similar to Domain Name 1's website. Registered with Registrar A on the same day as Domain Name 35.
25	swatches.store	2023/06/26	Alias 12	A	No evidence provided. Registered with Registrar A, 14 days after Domain Name 27 with both registrants purportedly based in Guangdong province, China.
26	swatchxomega.store	2023/06/26	Alias 12	A	No evidence provided. Registered with Registrar A, 14 days after Domain Name 27 with both registrants purportedly based in Guangdong province, China.
27	swatchomegasales.shop	2023/06/12	Alias 13	A	Same as Domain Name 1
28	swatchomegasale.shop	2023/05/25	Alias 13	A	No evidence provided
29	swatchxomegadirect.shop	2023/07/15	Alias 13	A	Same as Domain Name 1
30	swatchoxomega.com	2023/05/18	Alias 13	A	No evidence provided
31	swatchomegastore.com	2023/05/13	Alias 13	A	Same as Domain Name 1

32	omegaswatchs.com	2023/08/10	Alias 14	B	Same as Domain Name 1
33	omega-stores.shop	2023/7/25	Alias 15	C	No evidence provided
34	omegaswatch.store	2023/06/05	Alias 16	A	No evidence provided. Registered with Registrar A one day prior to Domain Name 35.
35	swatchesomega.shop	2023/06/06	Alias 17	A	Same as Domain Name 1
36	omegawatch.online	2023/07/16	Alias 18	A	Same as Domain Name 1
37	swatchclub.shop	2023/07/17	Alias 18	A	Same as Domain Name 1
38	swatchmarket.shop	2023/08/02	Alias 18	A	Same as Domain Name 1
39	swatchbrand.shop	2023/08/02	Alias 18	A	Same as Domain Name 1

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Notably, the Complainants contend that the Domain Names are confusingly similar to the Trade Marks, that the Respondents have no rights or legitimate interests with respect to the Domain Names, and that the Domain Names were registered and are being used in bad faith. The Complainants request transfer of the Domain Names.

B. Respondents

The Respondents did not reply to the Complainants' contentions.

6. Discussion and Findings

6.1 Preliminary Issues

A. Consolidation of Complaints

The case before the Panel involves two brand owners who wish to bring a single consolidated complaint in relation to 39 Domain Names against multiple registrants. The first preliminary issue to be determined is whether the Complainants are entitled to bring a consolidated complaint against the Respondents.

Paragraph 4(f) of the Policy allows a panel to consolidate multiple disputes between parties at its sole discretion and paragraph 10(e) of the Rules empowers a panel to consolidate multiple domain name disputes in accordance with the Policy and Rules. Neither the Policy nor the Rules expressly provide for the consolidation of multiple complainants in a single complaint in a single administrative proceeding. Paragraph 3(c) of the Rules, provides that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. While both the Policy and Rules use the term "complainant" throughout, the Policy and Rules do not expressly preclude multiple legal persons from falling within the term "complainant".

Section 4.11.1 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)) provides that in assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.

With regard to the first limb of the test, the Complainants are related to each other as both Complainants are owned by the same parent company. Although each individually own the two separate Trade Marks, the corporate relationship means that they have a common legal interest and therefore a common grievance against the Respondents who they allege have registered and used the Domain Names in bad faith. Further, the Respondents have also engaged in common conduct that has affected the Complainants in a similar fashion. Common conduct has been found to exist in the following cases:

(i) where the rights relied on and the disputed domain names in question involve readily identifiable commonalities; or (ii) where there is a clear pattern of registration and use of all the disputed domain names.

In this case, the indications of the Respondent engaging in common conduct which has affected the Complainants’ legal rights in a similar fashion are as follows:

(i) the Complainants are related companies under the same parent company;

(ii) the Complainants have an ongoing collaboration of a range of watches involving a combination of both Trade Marks and the use of the Trade Marks on almost all of the websites are identical and therefore affects their respective rights and interests in a similar fashion.

The Panel is satisfied from the above that common conduct is found to exist.

The Panel now turns to the second limb of the test as to whether it would be equitable and procedurally efficient to permit the consolidation. In considering this, the Panel also is satisfied that this is the case for the following reasons:

(i) the Complainants’ substantive arguments made under each of the three elements of the Policy are common to the Domain Names;

(ii) both Complainants are represented by a single authorized representative for the purpose of the proceedings.

Accordingly, the Panel determines that this Complaint consisting of multiple Complainants should, for the reasons discussed above, be permitted to have their complaints consolidated into a single Complaint for the purpose of the present proceedings under the Policy. The Respondents have all chosen not to file Responses and consequently there are no submissions to be taken into account on the procedural issues. In light of the above, the Complainants may be referred to collectively as the “Complainant” hereafter.

B. Multiple Respondents

The Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The Domain Name registrants did not comment on the Complainant’s request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.0](#), section 4.11.2.

As regards common control, the Panel notes the following:

- (1) Most of the 39 Domain Names are linked to identical websites impersonating the Complainant's website showing the highly sought after "MOONSWATCH";
- (2) Domain Names 24, 25 and 26 registered by Alias 12 should also be considered to be subject to common control as in the case of Domain Name 24, it is registered with Registrar A on the same day as Domain Name 35 (Alias 17) which is also registered with Registrar A and part of the Domain Names referred to in (1) above whilst in the case of Domain Names 25 and 26, they are both registered with Registrar A, 14 days after the registration of Domain Name 27 (Alias 13 with Registrar A) and part of the Domain Names referred to in (1) above. The Panel also notes that the website to which the Domain Name 24 resolved is similar to the website referred to in (1) above.
- (3) Domain Name 33 registered by Alias 15 is registered with Registrar C six days before Domain Name 5 (Alias 3) which is also registered with Registrar C and part of the Domain Names referred to in (1) above. Further the Whois data for Domain Name 33 is fabricated as the address in the United States does not exist.
- (4) Domain Name 34 registered by Alias 16 with Registrar A one day prior to Domain Name 35 (Alias 17) which is also registered with Registrar A and part of the Domain Names referred to in (1) above.
- (5) 36 of the 39 Domain Names are registered with two Registrars i.e. 28 with Registrar A and eight with Registrar C and the remaining three names with Registrars B and D. All the Domain Names registered with Registrars B and D are part of the 34 Domain Names referred to in (1) above.
- (6) All the Domain Names comprise of a pattern where the OMEGA and/or SWATCH trade marks are combined with generic terms or generic Top-Level Domains ("gTLDs") suggesting the sale of goods such as "sale", "shopping" and/or terms otherwise suggesting a purported online presence of the Complainant such as "brand" or "official".

The evidence submitted points to the fact that the Domain Names are subject of common control by the Respondent. The above pattern evidences common conduct based on the registration and use of the Domain Names and that such conduct interferes with the Trade Marks. Furthermore, the Complainant's claims against the Domain Names involve common questions of law and fact. The Respondents had the opportunity but did not respond substantively to the Complaint. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

C. Language of Proceeding

The language of the Registration Agreement for Domain Names 9 and 32 registered with Registrar B is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for the following main reasons:

- The clearly intentional misuse of the Complainant's world-wide famous OMEGA and SWATCH trade marks by the Respondent to deceive consumers makes it unfair or inequitable to require the Complainant to go to the unnecessary time and expense of translating their pleadings into another language;
- The Respondent is operating the websites connected to these Domain Names in English which shows that it has the facility to communicate in English; and

- By registering the majority of Domain Names with Registrars A and C where disputes between it are subject to the jurisdiction of Arizona, United States, it shows that the Respondent has the facility to communicate in English.

The Respondent has not challenged the Complainant's language request and in fact has failed to file a response in either English or Chinese.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview 3.0](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the Trade Marks are reproduced within Domain Names 1 – 13 and 16 - 39. Accordingly, these Domain Names are identical or confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the Trade Mark is recognizable within Domain Names 14 and 15 as "OMG" is a recognized abbreviation of the OMEGA trade mark. Accordingly, these Domain Names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms here, "official", "Tokyo", "ja", "jp", "world", "mall", "fashion watch", "deals", "online", "shop", "sale(s)", "direct", "x", "store(s)", "club", "market", "brand", and misspellings of the Trade Marks may bear on assessment of the second and third elements, the Panel finds the addition of such terms and the misspelling of the Trade Marks do not prevent a finding of confusing similarity between the Domain Names and the Trade Marks for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.8 and 1.9.

Based on the available record, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a *prima facie* case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the Domain Names. The Respondent has not rebutted the Complainant's *prima facie* showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names such as those enumerated in the Policy or otherwise.

Moreover, the nature of the Domain Names is inherently misleading as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent must have been aware of the Trade Marks when it registered the Domain Names given the fame of the Trade Marks and the publicity surrounding the launch of the collaboration of the OMEGA x SWATCH range of watches under the MOONSWATCH brand in March 2022 and its rapid notoriety. It is therefore implausible that the Respondent was unaware of the Complainant when it registered the Domain Names after that date.

In the [WIPO Overview 3.0](#), section 3.2.2 states as follows:

"Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent's claim not to have been aware of the complainant's mark."

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent's choice of the 39 Domain Names without any explanation is also a significant factor to consider (as stated in [WIPO Overview 3.0](#), section 3.2.1). The Domain Names fall into the category stated above and the Panel finds that registration is in bad faith.

The Domain Names are also being used in bad faith. The unauthorised impersonation of the Complainant's website relating to the OMEGA x SWATCH collaboration for MOONSWATCH and purported offer for sale of these limited-edition products which are sold only in the physical stores of Swatch is clear indication of use for illegal activity. Either the products sold are counterfeit or no products are being delivered after payment, the latter of which the Complainant contends has been the cases through numerous customer complaints. Evidence has also been submitted that one of the email addresses connected to the Respondent is the same email address involved in a trade mark infringement Court case involving another famous brand. Further, the large number of Domain Names involved is an indication of a serial cybersquatting ring involved in illegal activity.

The content of the websites is calculated to give the impression it has been authorized by or connected to the Complainant when this is not the case. The websites were set up to deliberately mislead Internet users that they are connected to, authorised by, or affiliated with the Complainant. From the above, the Panel concludes that the Respondent has intentionally attempted to attract, for commercial gain, by misleading Internet users into believing that the Respondent's websites and the products offered for sale and sold on them are those of or authorised or endorsed by the Complainant.

The Panel therefore finds that the Domain Names have been registered and are being used in bad faith under paragraph 4(b)(iv) of the Policy.

The fact that some of the Domain Names may have been inactive does not prevent a finding of bad faith especially in this instance given that the Complainant's Trade Marks are well-known and the Domain Names are all under common control of a single person or entity which are using the other Domain Names for nefarious purposes.

Based on the available record, the Panel finds the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain names, <fashionwatchomg.shop>, <omega-swatch.co>, <omega-swatch.online>, <omegaswatch.store>, <omegawatch.online>, <smartwatchomg.shop>, <swatchbrand.shop>, <swatchclub.shop>, <swatchesomega.shop>, <swatches.store>, <swatchmalls.shop>, <swatchmarket.shop>, <swatchomegadeals.shop>, <swatchomegaonline.shop>, <swatchomegasale.shop>, <swatchomegasales.shop>, <swatchomega.shop>, <swatchomegastore.com>, <swatchoomega.shop>, <swatchoomegashop.com>, <swatchxomega.com>, <swatchsale.com>, <swatchsales.shop>, <swatchshopping.com>, <swatchs.shop>, <swatchxomegadirect.shop>, <swatchxomega.shop>, <swatchxomega.store>, <omegaswatchs.com>, <swatchworld.shop>, <omega-stores.shop>, <omegaswatch.shop>, <swatch-ja.com>, <swatch-jp.com>, <swatch-jp.online>, <swatchtokyo.club>, <swatch-tokyo.net>, <swatch-tokyo.xyz> and <swatch-official.com> be transferred to the Complainant.

/Karen Fong/

Karen Fong

Sole Panelist

Date: October 30, 2023