

## **ADMINISTRATIVE PANEL DECISION**

Richemont International SA, Fabrique d'horlogerie Minerva SA v. huy tran  
Case No. D2025-3732

### **1. The Parties**

The Complainants are Richemont International SA, Switzerland, Fabrique d'horlogerie Minerva SA, Switzerland, represented by Demys Limited, United Kingdom.

The Respondent is huy tran, Viet Nam.

### **2. The Domain Name and Registrar**

The disputed domain name <minervawatch.com> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 15, 2025. On September 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 15, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainants on September 16, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on September 17, 2025.

The Center verified that the Complaint together with the amended Complaint 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 Respondent of the Complaint, and the proceedings commenced on September 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. The Respondent sent an email communication to the Center on September 19, 2025, upon which the Center sent Possible Settlement email to the Parties. The Complainants requested suspension of the proceedings on September 19, 2025 and the Center sent Notification of Suspension on the same day. As no settlement agreement has been reached by

Parties, the Center reinstituted the proceedings on October 24, 2025 per the Complainants' request and notified the Parties of the new Response due date of November 12, 2025. The Respondent did not submit any formal Response. Accordingly, the Center notified the commencement of the panel appointment process on November 14, 2025.

The Center appointed Johan Sjöbeck as the sole panelist in this matter on November 21, 2025. 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 First Complainant, Richemont International SA, is the operating company of Richemont group, which is one of the world's leading luxury goods groups. The Second Complainant, Fabrique d'horlogerie Minerva SA, was acquired by the First Complainant in 2006.

The Complainants have submitted evidence that the Second Complainant is the owner of a number of MINERVA trademark registrations, including:

MINERVA, International trademark with registration number 211398 and registration date July 21, 1958, for classes 9 and 14.

MINERVA, United Kingdom trademark with registration number UK00810211398 and registration date September 8, 2015, for class 14.

MINERVA, International trademark with registration number 1868247 and registration date June 6, 2025, for class 14.

The Respondent registered the disputed domain name <minervawatch.com> on March 11, 2025. Following its registration, the disputed domain name resolved to an online store purportedly offering unrelated third-party products. At the time the Complaint was filed, the disputed domain name resolved to an inactive webpage.

#### **5. Parties' Contentions**

##### **A. Complainants**

The First Complainant, Richemont International SA, is the operating company of Richemont group, which is one of the world's leading luxury goods groups, encompassing some of the most prestigious names in the industry, including Cartier, Van Cleef & Arpels, Piaget, Vacheron Constantin, Jaeger-LeCoultre, IWC Schaffhausen, and Montblanc. The latter, together with the Second Complainant, manufactures MINERVA watches. Richemont was founded in 1988 by Johann Rupert and today employs over 40,000 people across more than 150 locations worldwide.

The Second Complainant, Fabrique d'horlogerie Minerva SA, holds registered rights that the Complainants rely upon in this submission, namely its MINERVA marks. The Second Complainant was acquired by the First Complainant in 2006.

Turning to the brand at the heart of this dispute, MINERVA was founded in 1858 in Villeret, Switzerland. The management and ownership of MINERVA have changed several times, but it constantly grew its image and reputation as a quality watchmaker. Today, under Montblanc's custodianship, MINERVA watches continue to be manufactured, with its latest iteration being "Montblanc 1858 Unveiled Minerva Chronograph Limited Edition".

In terms of the consolidation of the Complainants, the Complainants contend they have a specific common grievance against the Respondent, in that the Respondent has targeted both Complainants' rights. As noted above, the Second Complainant, the owner of the registered rights, is owned by the First Complainant, the group's operator. As such, the disputed domain name takes unfair advantage of the First Complainant's brand and is confusingly similar to the Second Complainant's registered rights. The Complainants contend that the Respondent will not be prejudiced by the complaint being brought jointly by both Complainants.

At the time of submission, the disputed domain name does not resolve to an active website and is as such being passively held. However, at the time of the disputed domain name's registration, on March 11, 2025, it resolved to an online shop selling unrelated third-party products. In terms of the disputed domain name's technical set up, it is configured with Mail eXchanger ("MX") and Sender Policy Framework ("SPF") records, which means that the disputed domain name can be used for email communication.

The Complainants contend that the disputed domain name is confusingly similar to registered trademarks in which the Complainants have rights in terms of the Policy. The Second Complainant is the owner of a global portfolio of registered trademarks featuring the term "minerva". The Complainants note that the oldest of their example MINERVA marks pre-dates the registration of the disputed domain name by more than 66 years. The Complainants aver that the figurative marks are made up of easily legible textual components which clearly spell out MINERVA. The disputed domain name incorporates the Complainants' MINERVA mark in its entirety, combined with the dictionary word "watch". Considering that the Complainants are, inter alia, watch manufacturers, they aver that the adornment is closely connected to them and their area of activity. While the Complainants' brand MINERVA is named after a Roman goddess, combined with the adornment "watch" it can, on the balance of probabilities, only refer to the Complainants and their products.

The Complainants contend that the Respondent does not have any rights or legitimate interests in the disputed domain name. The Complainants have found no evidence that the Respondent has been commonly known as "Minerva" or "Minerva watch" prior to or after the registration of the disputed domain name. The Complainants have found no evidence that the Respondent owns any trademarks incorporating the term "minerva". Equally, the Complainants have found no evidence that the Respondent has ever traded legitimately under the business names "Minerva" or "Minerva watch". The Respondent is not a licensee of the Complainants and has not received any permission or consent from either of the Complainants to use their marks in the disputed domain name or in any other manner.

The Complainants aver that the Respondent specifically cannot claim a legitimate "fair use" interest as the nature of the disputed domain name carries a risk of implied affiliation. As noted above, the disputed domain name is confusingly similar to the Complainants' MINERVA marks, differing only by the addition of the term "watch", which is closely associated with the Complainants. As such, the Complainants argue that the disputed domain name falsely implies affiliation between the Respondent and the Complainants and therefore the Respondent cannot have a legitimate interest in the disputed domain name.

The disputed domain name does not currently resolve to an active website which, the Complainants contend, constitutes passive holding and, as such, the disputed domain name is not being used in connection with a bona fide offering of goods or services. The Complainants assert that the Respondent cannot obtain or derive any rights or legitimate interests through its passive holding of the disputed domain name.

The disputed domain name initially resolved to a web shop offering third-party products. It is well-established under the Policy that using an infringing domain name to redirect Internet users to a web shop offering third-party products is not considered a bona fide use. The Complainants contend that the Respondent used the recognition and attractive force of the Complainants' MINERVA brand and marks to divert Internet users to its own web shop offering unrelated third-party goods. Such "bait-and-switch" use of the disputed domain name will be to the clear detriment of the Complainants and their MINERVA marks. As such, even if the disputed domain name continued to resolve to such a website, it would not grant the Respondent any rights or legitimate interests in respect of the disputed domain name, as its use would not be considered bona fide.

The disputed domain name's zone file is configured with MX and SPF records, which means that the disputed domain name can be effectively used for email communication. Considering that the disputed domain name, at worst, directly impersonates the Complainants or, at best, carries a high risk of implied affiliation, any email originating from the disputed domain name would be highly confusing or misleading to the Complainants' employees, business partners, agencies or clients and would not give the Respondent a legitimate interest in the disputed domain name. Since the disputed domain name is confusingly similar to the Complainants' marks, anyone receiving an email originating from the disputed domain name would reasonably assume that it was sent from the Complainants.

Given that the Complainants' MINERVA brand is widely known, at least within its sector, and the disputed domain name could only refer to it, as evident from a conducted Google search for "Minerva watch", the Complainants assert that it is inconceivable that the Respondent did not have the Complainants in mind when it registered the disputed domain name. It is likely that Internet users who directly type the disputed domain name into their browsers, or find it through a search engine, will be looking for a website operated by the Complainants rather than the Respondent. On balance, it is considerably less likely that Internet users would type in or search for the Complainants' MINERVA brand and expect to find the Respondent's website. The Complainants contend that the disputed domain name is in and of itself extremely likely to confuse Internet users trying to find the Complainants. The Complainants contend the likelihood of confusion and the lack of rights by the Respondent is such that bad faith may be inferred.

The Complainants assert that passive holding of the disputed domain name constitutes bad faith. The Complainants claim that in the hands of the Respondent, who already used the disputed domain name to misdirect Internet users to its website, there is no good faith use that would not be detrimental to the Complainants and their MINERVA marks.

Whether it was the Respondent's primary intention or not, the Respondent's actions, namely registering the disputed domain name that is confusingly similar to the Complainants' registered marks, have the effect of disrupting the Complainants' activities and will inevitably lead to confusion. The Complainants contend that Internet users seeing the disputed domain name in search engine results, or typing it into their Internet browser, would reasonably assume that it was operated by, connected with or endorsed by the Complainants. As such, the Complainants contend that the disputed domain name is confusing in and of itself and its registration will be disruptive to the Complainants' activities.

The Respondent knew, or at least should have known, that the registration of the disputed domain name would be confusing to the Complainants' MINERVA marks. This is compounded by the fact that the Respondent opted to pair the Complainants' MINERVA mark with a keyword "watch" which is closely associated with the mark and the Complainants.

The Complainants therefore conclude that in all these circumstances, taken singly or cumulatively, that on balance it is more likely than not that the disputed domain name was registered and used in bad faith in terms of the Policy.

## **B. Respondent**

Although the Respondent did not submit a formal Response to the Complaint, the Respondent indicated in an email communication to the Center that the registration of the disputed domain name "was chosen randomly by [the Respondent] without any knowledge or intention to infringe upon the Complainant's trademark or brand", and it would be willing to transfer the disputed domain name to the Complainants, provided that the Complainants contacted the Respondent directly.

## 6. Consolidation of Complainants

The Panel notes that the present Complaint has been filed by multiple Complainants who have submitted a request for consolidation. On this subject, Paragraph 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") provides inter alia as follows: "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."

The Complainants contend they have a specific common grievance against the Respondent. The Second Complainant, owner of the registered rights, is owned by the First Complainant. As such, the disputed domain name takes unfair advantage of the First Complainant's brand and is confusingly similar to the Second Complainant's registered rights. The Panel finds that the Complainants have established that they have a common grievance against the Respondent. The Respondent has not contested the request for consolidation.

In light of the above, the Panel considers that it is procedurally efficient to allow the Complainants to proceed with the single Complaint as filed and is content that such consolidation is fair and equitable to all of the Parties. With regard to the remedy sought by the Complainants, the Panel notes that, if the Complaint succeeds, the Complainants have specifically requested that the disputed domain name be transferred to the First Complainant, Richemont International SA. In view of the consolidation of the two Complainants, and for the sake of clarity and procedural convenience, the Panel will refer to them collectively as "the Complainant" in the singular hereafter in this Decision.

## 7. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

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

### A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. See [WIPO Overview 3.0](#), section 1.7.

From the submitted evidence it is clear that the Complainant is the owner of the registered trademark MINERVA and the Panel concludes that the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy.

The disputed domain name <minervawatch.com> incorporates the Complainant's trademark in its entirety with the addition of the dictionary term "watch". The Panel finds that the trademark is recognizable within the disputed domain name. Hence, the addition of the term "watch" to the trademark in the disputed domain name does not prevent a finding of confusing similarity.

Having the above in mind, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademark and that the Complainant has proven the first requirement of the Policy under paragraph 4(a)(i) of the Policy.

## **B. Rights or Legitimate Interests**

The Complainant must show that the Respondent has no rights or legitimate interests with respect to the disputed domain name. The Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating in accordance with paragraph 4(c) of the Policy any of the following:

- (i) the Respondent uses or has made preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) the Respondent is commonly known by the disputed domain name, even if the Respondent has not acquired any trademark rights; or
- (iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

The Complainant's trademark registration for MINERVA predates the Respondent's registration of the disputed domain name. The Complainant has not licensed, approved, or in any way consented to the Respondent's registration and use of the trademark in the disputed domain name. There is no evidence in the case file indicating that the Respondent has used or made any preparations to use the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute. At the time the Complaint was filed, the disputed domain name resolved to an inactive webpage. The Complainant has submitted evidence that the Respondent previously used the disputed domain name for a web shop purportedly offering third-party products for sale.

Nothing in the case file or in the Respondent's email communication to the Center indicates that the Respondent owns any trademark rights or is commonly known by the disputed domain name. There is no evidence indicating that the Respondent intends to make a legitimate, noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark. In fact, the Respondent's express willingness, in its email communication with the Center, to transfer the disputed domain name to the Complainant without contesting the allegations further, supports the conclusion that the Respondent lacks rights or legitimate interests in the disputed domain name. Although given the opportunity, the Respondent has not provided any evidence to rebut the Complainant's prima facie case.

The Respondent has failed to invoke any circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy or otherwise, any rights or legitimate interests in respect of the disputed domain name. In light of the above, there is no evidence in the case file that refutes the Complainant's submissions, and the Panel concludes that the Complainant has also proven the requirement under paragraph 4(a)(ii) of the Policy.

## **C. Registered and Used in Bad Faith**

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use include without limitation:

- (i) circumstances indicating the disputed domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the disputed domain name; or
- (ii) circumstances indicating that the disputed domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding disputed domain name, provided there is a pattern of such conduct; or

- (iii) circumstances indicating that the disputed domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the disputed domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on that website or location.

The nature of the disputed domain name <minervawatch.com> that comprises the Complainant's older registered MINERVA trademark in its entirety with the addition of the dictionary term "watch" makes it inconceivable that the Respondent coincidentally selected the disputed domain name without any knowledge of the Complainant, the Complainant's trademark or the Complainant's business. Moreover, combining the trademark with the term "watch" could potentially mislead Internet users and consumers into mistakenly believing that the disputed domain name is owned by, affiliated with, endorsed by, or provided by the Complainant.

As mentioned above, at the time the Complaint was filed, the disputed domain name resolved to an inactive webpage. Panels have found that the non-use of a domain name, such as a blank page, would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the record, the Panel finds that the Respondent's passive holding of the disputed domain name does not prevent a finding of bad faith. In accordance with the principles established in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#), and as reflected in section 3.3 of [WIPO Overview 3.0](#), passive holding may, in appropriate circumstances, not prevent a finding of bad faith. This is particularly so in the present case given the composition of the disputed domain name, which incorporates the Complainant's trademark together with the term "watch", a product for which the Complainant's trademark is registered. Additional factors to weigh in the balance include the fact that presence of active MX and SPF records which enables email communications based on the disputed domain name, and the fact that the Respondent has not formally responded to the Complainant's contentions.

In addition, the evidence in the case file, demonstrates that the disputed domain name previously resolved to a commercial web shop purportedly offering third-party products for sale. Hence, the disputed domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on that website or location.

Based on the facts alleged in the Complaint, which the Respondent has made no effort to rebut, the Panel is persuaded on the balance of probabilities that the Respondent registered and used the disputed domain name with the Complainant's trademark and business in mind. There is no evidence in the case file that refutes the Complainant's submissions and the Panel concludes that the Complainant has proved the requirements under paragraph 4(b) of the Policy and that the disputed domain name <minervawatch.com> has been registered and used in bad faith.

## 8. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <minervawatch.com> shall be transferred to the First Complainant, Richemont International SA.

/Johan Sjöbeck/

**Johan Sjöbeck**

Sole Panelist

Date: December 1, 2025