

ADMINISTRATIVE PANEL DECISION

Peter Millar LLC v. BertTulescu BertTulescu, Santa La, Luigi Bello,
infaujzlhj cdkeqxmhyu, Camada Rootsmikes
Case No. D2025-5249

1. The Parties

The Complainant is Peter Millar LLC, United States of America (“United States”), represented by Com Laude Limited, United Kingdom.

The Respondents are BertTulescu BertTulescu, United States; Santa La, United States; Luigi Bello, United States; infaujzlhj cdkeqxmhyu, China; and Camada Rootsmikes, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <petermillarsale.com>, <petermillarfall.com>, <petermillarusstore.com>, <petermillarvip.shop> and <usapetermillar.com> are registered with West263 International Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 16, 2025. On December 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 18, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 26, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on December 29, 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 Respondents of the Complaint, and the proceedings commenced on December 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 19, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondent's default on January 20, 2026.

The Center appointed Pablo A. Palazzi as the sole panelist in this matter on January 29, 2026. 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, founded in 2001, produces luxury apparel under its PETER MILLAR mark. The Complainant operates over 40 stores in the United States, as well as an Internet store from its website located at "www.petermillar.com".

The Complainant's mark is registered in numerous jurisdictions, including United States Trademark Registration No. 2881454 PETER MILLAR in class 25, having a registration date of September 7, 2004.

The disputed domain names <petermillarsale.com>, <petermillarfall.com>, <petermillarusstore.com>, <petermillarvip.shop> and <usapetermillar.com> were registered on October 9, 2025, October 10, 2025, October 17, 2025, September 30, 2025, and October 25, 2025, respectively. The disputed domain names are not in use. The disputed domain names <petermillarfall.com>, <petermillarvip.shop> and <usapetermillar.com> do not resolve to any active website and return an error message when accessed. Two disputed domain names, namely <petermillarsale.com> and <petermillarusstore.com>, are configured to redirect to the disputed domain name <usapetermillar.com>.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended 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 disputed 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names:

- were registered with the same Registrar of record;
- were created within a period of 25 days of one another;
- are passively held, as they do not resolve to active websites;
- that the disputed domain names <petermilarsale.com> and <petermillarusstore.com> redirect to <usapetermillar.com> (which itself does not resolve), thereby evidencing a connection among the three disputed domain names;
- that three of the disputed domain names—namely, <petermillarvip.shop>, <petermilarsale.com>, and <petermillarusstore.com>—use the same nameservers; and
- that all of the disputed domain names follow a similar naming pattern, incorporating the Complainant's PETER MILLAR name and mark together with descriptive terms associated with the Complainant and its activities, including "VIP", "sale", "fall", "US store", and "USA".

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.

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 trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The disputed domain name <petermilarsale.com> contains a misspelling of the Complainant's trademark. A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.0](#), section 1.9.

Although the addition of other terms, like here "sale", "fall", "us", "store", "vip" or "usa", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

Although 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 difficult 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 (although the burden of proof always remains on the complainant). 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 available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed 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 disputed domain names such as those enumerated in the Policy or otherwise.

The composition of the disputed domain names, comprising the Complainant’s PETER MILLAR trademark in its entirety, or consisting of a misspelling of it, and the intentional addition of terms like “sale”, “fall”, “us”, “store”, “vip” or “usa”, signals the Respondent’s intention of taking unfair advantage of the likelihood of confusion between the disputed domain names and the Complainant.

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 Complainant’s earliest trademark registration predates the registration of the disputed domain names by more than twenty-one (21) years;
- the Respondent registered five domain names incorporating the Complainant’s trademark or consisting of a misspelling within a period of less than one month;
- the Complainant’s trademark is well known in the fashion retail and golf apparel sectors and has acquired a substantial reputation among consumers and industry participants;
- the Respondent has registered all five disputed domain names and has passively held them, without any active use; and
- having regard to the composition of the disputed domain names, which reproduce the Complainant’s trademark in its entirety or consisting of a misspelling together with descriptive terms, the Panel considers that there is no plausible legitimate or bona fide use to which the Respondent could put the disputed domain names.

Moreover, Panels have found that the non-use of a domain name (including an “Internal Server Error” page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s trademark, and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

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 disputed domain names <petermilarsale.com>, <petermillarfall.com>, <petermillarusstore.com>, <petermillarvip.shop> and <usapetermillar.com> be transferred to the Complainant.

/Pablo A. Palazzi/

Pablo A. Palazzi

Sole Panelist

Date: February 9, 2026