

## ADMINISTRATIVE PANEL DECISION

Blancpain SA, Omega SA, Tissot SA, Swatch AG, ETA SA Manufacture Horlogère Suisse, Hamilton International AG, Certina SA, The Swatch Group Management Services AG, Technocorp Holding S.A, Le Locle v. Yi Wei Ren (任艺伟)  
Case No. DME2025-0009

### 1. The Parties

The Complainants are Blancpain SA, Switzerland, Omega SA, Switzerland, Tissot SA, Switzerland, Swatch AG, Switzerland, ETA SA Manufacture Horlogère Suisse, Switzerland, Hamilton International AG, Switzerland, Certina SA, Switzerland, The Swatch Group Management Services AG, Switzerland, Technocorp Holding S.A, Le Locle, Switzerland, represented by The Swatch Group AG, Switzerland.

The Respondent is Yi Wei Ren (任艺伟), China.

### 2. The Domain Names and Registrar

The disputed domain names <balmainwatches.me>, <certina.me>, <fiftyfathoms.me>, <flikflak.me>, <hamiltonwatch.me>, <moonswatch.me>, <speedmaster.me>, and <tissotwatches.me> are registered with Chengdu West Dimension Digital Technology Co., Ltd (the “Registrar”).

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on April 11, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 15, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainants on April 23, 2025, providing additional registrant contact information disclosed by the Registrar. On the same day, the amended Complaint was filed in English with the Center.

On April 23, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain names is Chinese. On the same day, the Complainants confirmed their request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainants’ submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on April 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 27, 2025.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on June 2, 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 dispute involves nine Complainants, all subsidiary companies of The Swatch Group Ltd, which are all well known and world-leading manufacturers, sellers, and retailers of products including particularly wristwatches. The parent company, The Swatch Group Ltd, is one of the world’s largest watch companies and employs about 31,000 people in 50 countries. The Complainants are all established in Switzerland.

The Complainants own a large international portfolio of trademark registrations for the trademarks that are relevant to this proceeding, these include notably, but without any limitation, the following marks: Chinese Trademark Registration number 232954 for SWATCH (owned by Swatch AG), registered on September 15, 1985; International Trademark Registration number 1759320 for MOONSWATCH (owned by Swatch AG), registered on August 28, 2023; International Trademark Registration number 614931 for TISSOT (owned by Tissot SA), registered on January 31, 1994; International Trademark Registration number 304846 for HAMILTON (owned by Hamilton International AG), registered on November 11, 1965; International Trademark Registration number 681000 for FIFTY FATHOMS (owned by Blancpain SA), registered on September 24, 1997; United States of America Trademark Registration number 672487 for SPEEDMASTER (owned by Omega SA), registered on January 13, 1959; Chinese Trademark Registration number 302204 for FLIK FLAK (owned by ETA SA Manufacture Horlogère Suisse), registered on October 30, 1987; European Union Trademark Registration number 003440922 for BALMAIN (owned by The Swatch Group Management Services AG<sup>1</sup>), registered on September 29, 2005; Japanese Trademark Registration number 1780333 for CERTINA (owned by Certina SA), registered on June 25, 1985.

The disputed domain names were all registered between November 8, 2024 and November 14, 2024, and are therefore each of a later date than the Complainants’ abovementioned trademarks. The Complainants provide evidence that the disputed domain names <balmainwatches.me>, <certina.me>, <fiftyfathoms.me>, <flikflak.me>, <hamiltonwatch.me>, and <moonswatch.me> all redirect to active websites on the GoDaddy domain name resale platform where the disputed domain names are offered for a “Buy now” price of USD 1,450 or a “Lease to own” price of USD 100 per month. At the time of this decision, apart from the disputed domain name <tissotwatches.me> directing to a blank page, the remaining seven disputed domain names all resolve to the same GoDaddy domain name resale platform where they are offered for a “Buy now” price of USD 1,450 or a “Lease to own” price of USD 100 per month.

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<sup>1</sup> At the time of filing this Complaint, some of the BALMAIN trademarks are in the process of being transferred to the Complainant, Technocorp Holding S.A, Le Locle.

## 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 disputed domain names.

Notably, the Complainants contend that the disputed domain names are identical or confusingly similar to their respective prior registered trademarks. The Complainants also contend that the Respondent has no rights or legitimate interests in respect of the disputed domain names and that the Respondent is not related in any way with or licensed by the Complainants. Furthermore, the Complainants argue that the disputed domain names all point to a registrar parking page where the disputed domain names are offered for a "buy now" price of USD 1,450, which the Complainants contend constitutes a general offer to sell the disputed domain names for an amount clearly in excess of the out-of-pocket expenses related to the disputed domain names. The Complainants argue that this evidences the Respondent's lack of rights or legitimate interests as well as the Respondent's bad faith. The Complainants also contend that, by systematically registering domain names comprising solely of the Complainants' trademarks immediately followed by the country code Top-Level Domain extension ".me" and, in some instances, including the designation "watches" denoting the Complainants' main product category, the Respondent is depriving the Complainants of the chance to reflect their trademarks adequately on the Internet which is an indication of a bad faith registration and use.

### B. Respondent

The Respondent did not reply to the Complainants' contentions.

## 6. Discussion and Findings

### 6.1 First Preliminary Issue: Consolidation: Multiple Complainants

The WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") provides at section 4.11.1, in respect of the issue of "Multiple complainants filing against a single respondent", that: "Paragraph 10(e) of the UDRP Rules grants a panel the power to consolidate multiple domain name disputes. At the same time, paragraph 3(c) of the UDRP 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. 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 present proceeding involves nine Complainants bringing a single complaint against one Respondent. The Complainants bear the onus of establishing that such a consolidation is justified.

The Panel is satisfied, based on the material filed, that all the Complainants are wholly-owned subsidiaries of The Swatch Group Ltd and have a common grievance of factually very similar trademark-abusive domain name registration and use against the Respondent. As such, the Panel concludes that all the Complainants are the target of common conduct by the Respondent and have common grievances regarding the use of their respective trademarks in the disputed domain names by the Respondent.

The Panel accepts that permitting the consolidation would be fair and equitable to all Parties involved and would safeguard procedural efficiency. The Panel also notes that the Respondent did not object to the request for consolidation. The Panel therefore grants the request for consolidation of the Complainants and shall hereafter refer to the Complainants jointly as "the Complainant".

## **6.2 Second Preliminary Issue: Language of the Proceeding**

The language of the Registration Agreement for the disputed domain names 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 and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the allegation that the Respondent intentionally and systematically misuses the Complainant's world-wide famous trademarks and that the Respondent has registered (at least) the disputed domain names clearly targeting the Complainant, which would make it not fair or equitable to require the Complainant to go to the unnecessary time and expense of translating their pleadings into another language; and the fact that the Respondent has linked the majority of its disputed domain names to websites in the English language, which, the Complainant argues, shows that the Respondent has the facility to communicate in English..

The Respondent did not make any specific submissions with respect to the language of the proceeding.

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.

## **6.3 Findings on the Merits**

### **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 names. [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 that the respective marks are recognizable within each of the respective disputed domain names. Accordingly, the disputed domain names <certina.me>, <fiftyfathoms.me>, <flikflak.me>, <moonswatch.me>, and <speedmaster.me> are identical, and the disputed domain names <balmainwatches.me>, <hamiltonwatch.me> and <tissotwatches.me> are confusingly similar to the respective Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

Additionally, the Panel considers that the composition of the disputed domain names carries a high risk (for identical disputed domain names) or a risk (for confusingly similar disputed domain names) of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. The Panel also notes that there are no elements in this case that point to the Respondent having made any reasonable or demonstrable preparations to use the disputed domain names in connection with a bona fide offering of goods or services. Apart from the disputed domain name <tissotwatches.me>, the Respondent has connected the remaining disputed domain names to a parked page offering it for sale for a "Buy now" price of USD 1,450 or a "Lease to own" price of USD 100 per month, which amounts are most likely in excess of out-of-pocket costs relating to the disputed domain names. As to the disputed domain name <tissotwatches.me> which directs to a blank page, the Panel notes that the non-use of this disputed domain name also does not confer rights or legitimate interests on the Respondent under the circumstances of this case.

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.

Given the intensive use, fame, and distinctiveness of the Complainant's various prior registered trademarks, the Panel finds that the subsequent registration of the disputed domain names, which are either identical or confusingly similar to such marks, clearly and consciously targeted the Complainant's prior registered trademarks. The Panel also notes that several of these trademarks have been considered well-known by other panels applying the Policy (see for instance *Tissot S.A. v. Domains By Proxy, LLC / Serkan Ergovan*, WIPO Case No. [D2018-2301](#); *Tissot SA v. 吴才曾 (Wu Cai Zeng)*, WIPO Case D2020-2722). The Panel finds that this creates a presumption of bad faith. In this regard, the Panel refers to the [WIPO Overview 3.0](#), section 3.1.4, which states "[p]anel have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith." Furthermore, the Panel also notes that the Complainant's trademarks were registered many years before the registration dates of the disputed domain names. The Panel infers from these elements that the Respondent knew, or at least should have known, of the existence of the Complainant's trademarks at the time of registering the disputed domain names. In the Panel's view, these elements indicate bad faith on the part of the Respondent, and the Panel therefore finds that it has been demonstrated that the Respondent registered the disputed domain names in bad faith.

As to the use of the disputed domain names in bad faith, the use of the websites linked to the disputed domain names (except for <tissotwatches.me>) demonstrates that the Respondent is attempting to sell the disputed domain names for an amount most likely in excess of the Respondent's out-of-pocket costs related to the disputed domain names, i.e., for a "Buy now" price of USD 1,450 or a "Lease to own" price of USD 100 per month. This leads the Panel to conclude, on balance of the probabilities, that the Respondent is using these disputed domain names to try to sell them to the Complainant, who is the owner of the corresponding

trademarks, or to competitors of the Complainant and to obtain unjustified financial benefits through such sale. The Panel notes that this constitutes direct evidence of bad faith of the Respondent under paragraph 4(b)(i) of the Policy.

As to the disputed domain name <tissotwatches.me> which directs to a blank page, panels have found that the non-use of a domain name (including a blank or “coming soon” 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 well-known nature of the Complainant’s trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of this disputed domain name does not prevent a finding of bad faith under 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 <balmainwatches.me>, <certina.me>, <fiftyfathoms.me>, <flikflak.me>, <hamiltonwatch.me>, <moonswatch.me>, <speedmaster.me>, and <tissotwatches.me> be transferred to the Complainant.

*/Deanna Wong Wai Man/*

**Deanna Wong Wai Man**

Sole Panelist

Date: June 16, 2025