

ADMINISTRATIVE PANEL DECISION

Mr. Jannik Sinner v. Prodip Mondal
Case No. D2026-0532

1. The Parties

The Complainant is Mr. Jannik Sinner, Monaco, represented by Studio Scarpellini, Italy.

The Respondent is Prodip Mondal, India.

2. The Domain Name and Registrar

The disputed domain name <janniksinnermerch.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 February 9, 2026. On February 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 9, 2026, 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 Complainant on February 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on February 12, 2026.

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 February 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 5, 2026.

The Center appointed Dawn Osborne as the sole panelist in this matter on March 11, 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, a world known Italian tennis player, is the owner of the mark JANNIK SINNER registered, inter alia, as International trademark registration no 1649133 registered on October 13, 2021, for, inter alia, clothing.

The disputed domain name, registered on February 23, 2024, has been used for a site featuring the Complainant's mark (including in its masthead) and images of the Complainant to sell clothing purporting to be related to the Complainant and claiming that the site was the official site of the Complainant. The site was also advertised on Google as the official site of the Complainant. When clicking on the "Store" section of the website attached to the disputed domain name users were redirected to <https://www.teemerch.com/product-category/jannik-sinner-merch/> selling clothing purporting to be related to the Complainant.

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 name.

Notably, the Complainant contends that:

The disputed domain name registered in 2024 is confusingly similar to the Complainant's mark, merely adding the generic word "merch" and the generic Top-Level Domain ("gTLD") .com which do not prevent said confusing similarity between the disputed domain name and the Complainant's mark.

Respondent is not commonly known by the disputed domain name and has no permission from the Complainant to use the Complainant's mark. The disputed domain name has been used for a web site using the Complainant's mark and images of the Complainant to impersonate him claiming to be the official site of the Complainant in order to sell counterfeit merchandise purporting to be related to the Complainant. The site is also being advertising on Google as the official site of the Complainant. When clicking on the "Store" section of the website attached to the disputed domain name users were redirected to <https://www.teemerch.com/product-category/jannik-sinner-merch/> also selling counterfeit merchandise purporting to be related to the Complainant.

This is not a bona fide offering of goods and services or a non-commercial legitimate fair use. The Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent registered the disputed domain name to direct it to a site to confuse Internet users into believing the website, its merchandise and the disputed domain name are associated with the Complainant for commercial gain in full knowledge of the rights of the Complainant. The disputed domain name has been registered and used in bad faith.

B. Respondent

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

6. Discussion and Findings

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 of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, "merch" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 that 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 3.1](#), 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 name. 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 name such as those enumerated in the Policy or otherwise.

The Respondent is not commonly known by the disputed domain name and has no permission from the Complainant to use the Complainant's mark. The disputed domain name has been used for a website using the Complainant's mark (including in its masthead) and images of the Complainant to impersonate him claiming falsely to be the official site of the Complainant in order to sell clothing purporting to be related to the Complainant. The site is also being advertised on Google as the official site of the Complainant. When clicking on the "Store" section of the website attached to the disputed domain name users were redirected to <https://www.teemerch.com/product-category/jannik-sinner-merch/> offering clothing purporting to be related to the Complainant. Claiming falsely to be an official site of the Complainant is deceptive and is not a bona fide offering of goods or services. The Complainant maintains that the merchandise is counterfeit but does not explain the basis on which it came to this conclusion, however it is clear the Respondent is involved in passing off by maintaining that its site is an official site of the Complainant when it is not, irrespective of the status of the merchandise offered.

Panels have held that the use of a domain name for illegal activity, here passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 used the disputed domain name for a website using the Complainant's mark (including in its masthead) and images of the Complainant to impersonate him claiming to be the official site of the Complainant in order to sell clothing that purports to be related to the Complainant. The site is also being advertising on Google as the official site of the Complainant when it is not. When clicking on the "Store" section of the website attached to the disputed domain name users were redirected to <https://www.teemerch.com/product-category/jannik-sinner-merch/> selling clothing purporting to be related to the Complainant. The Complainant says all merchandise is counterfeit but does not explain the basis on which it has come to that conclusion. However as held above the Respondent is involved in passing off by maintaining that its site is an official site of the Complainant when it is not, irrespective of the status of the merchandise offered.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity, here passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 name <janniksinnermerch.com> be transferred to the Complainant.

/Dawn Osborne/

Dawn Osborne

Sole Panelist

Date: March 12, 2026