

## **ADMINISTRATIVE PANEL DECISION**

Margaret Howell Limited v. Daniel Rachelle  
Case No. D2026-0596

### **1. The Parties**

The Complainant is Margaret Howell Limited, United Kingdom (“UK”), represented by Sheridans Solicitors, United Kingdom.

The Respondent is Daniel Rachelle, United States of America (“United States”).

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

The disputed domain name <margaret-howell.com> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 12, 2026. On February 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 18, 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 (margaret-howell.com, C/o Dynadot Inc) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 18, 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 23, 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 18, 2026.

The Center appointed Theda König Horowicz as the sole panelist in this matter on March 24, 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 is a company established on May 27, 1987, in the UK. The company's name is the name of its founder Margaret Howell who is also a designer and a director of the company. The Complainant is a luxury clothing brand and has stores internationally including in the UK, the European Union and the United States.

The Complainant sells its own MARGARET HOWELL products but also collaborates with other well-known heritage brands and acquired visibility over the years, notably in being featured in famous fashion magazines.

The Complainant also trades and markets online from its office website accessible under the domain name "margarethowell.co.uk" which was registered in 1999.

The Complainant owns several registered trademarks under MARGARET HOWELL, including

- UK trademark registration (figurative mark) No UK00900086595, in international classes 3, 14, 18 and 25, of February 26, 1998.
- European Union trademark registration (word mark) No 016944068, in international classes 3, 11, 14, 18, 21, 24, 25, 30, 35 and 43, of November 6, 2017.
- United States trademark registration No 5929229, in international classes 18, 24 and 25, of December 10, 2019.

The disputed domain name was registered on October 26, 2025. At the time of the filing of the Complaint, the disputed domain name was linked to a webpage indicating that the page cannot be reached.

No information is available in the case file on the Respondent.

#### **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 contains its MARGARET HOWELL trademark alone without any addition and is therefore identical.

The Complainant further alleges that the Respondent does not have rights or legitimate interests in the disputed domain name notably since no authorization was given to the Respondent to register and use the disputed domain name. Furthermore, the disputed domain name's composition which comprises the Complainant's trademark carries a risk of implied affiliation. The current passive holding of the disputed domain name is due to actions taken by the Complainant to suspend the related website to avoid further diversion of sales and/or confusion.

The Complainant finally contends that the Respondent registered and is using the disputed domain name in bad faith because it incorporates entirely without any addition the Complainant's trademark. The disputed domain name previously resolved to a website incorporating the Complainant's trademark to target and impersonate the Complainant and divert consumers away. The current passive holding does not prevent a finding of bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the domain name registered by the Respondent 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 respect of the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel shall decide these administrative proceedings on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("[WIPO Overview 3.1](#)"), section 4.3.

### **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 3.1](#), section 1.7.

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

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 Panel notes that the disputed domain name entirely reproduces Complainant's distinctive trademark, which is also its name and the name of its founder. The Complainant has shown to have used its name and trademark for many years and to have acquired a certain degree of notoriety including in the United States where the Respondent is based.

The Complainant did not provide evidence on the website which was initially operated by the Respondent under the disputed domain name, and which was apparently using Complainant's trademark, but the Complainant made clear not to have authorized the use of its name, trademark and image in any way whatsoever.

The Respondent did not rebut the Complainant's allegations. Therefore, the disputed domain name was most likely registered for the only purpose to be used in relation to the Complainant's name, trademark and brand, thus for the purpose of impersonation respectively passing off, which 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 was obviously aware of the Complainant's trademark MARGARET HOWELL when registering the disputed domain name, since the said mark is a distinctive name corresponding to the name of the founder and current CEO of the brand. Furthermore, the MARGARET HOWELL mark is used on the Internet by the Complainant and for physical stores also in the United States where the Respondent is based. A simple search on the Internet shows indeed that MARGARET HOWELL is owned and used by the Complainant notably on the website found under the domain name "margarethowell.co.uk.". Finally, the Complainant has shown to be notably the owner of a United States trademark registration for MARGARET HOWELL. It would have been easy for the Respondent to check whether MARGARET HOWELL is a registered trademark.

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 found that the non-use of a domain name would not by itself prevent the finding of bad faith under the doctrine of passive holding. On the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation 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 the disputed domain name does not prevent a finding of bad faith under the Policy.

Furthermore, as already mentioned above, considering the circumstances of this case and the composition of the disputed domain name, it is not conceivable that the Respondent registered the disputed domain name for another reason than impersonation, passing off, or other types of fraud. [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 <margaret-howell.com> be transferred to the Complainant.

*/Theda König Horowicz/*

**Theda König Horowicz**

Sole Panelist

Date: April 15, 2026