

ADMINISTRATIVE PANEL DECISION

Evarn Holdings Pty Ltd v. Jamie Parvin, Baby Models
Case No. D2026-1083

1. The Parties

The Complainant is Evarn Holdings Pty Ltd, Australia, represented by Richards & Lally Lawyers, Australia.

The Respondent is Jamie Parvin, Baby Models, United Kingdom, self-represented.

2. The Domain Name and Registrar

The disputed domain name <munchkinmodels.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 13, 2026. On March 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 16, 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 (Munchkin Models UK) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 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 amendment to the Complaint on March 20, 2026.

The Center verified that the Complaint together with the amendment to the 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 March 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2026. The Response was filed with the Center on April 8, 2026.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on April 23, 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 limited company headquartered in Camberwell, Victoria, Australia trading as Munchkins Talent Agency. The Panel notes that this trading name has been registered to the Complainant since July 19, 2018, according to the online database of the Australian Securities & Investments Commission (“ASIC”)¹. The Complainant has offered modelling and talent agency services in Australia since 1990 and has promoted those services online through its website at “www.munchkins.com.au” since 1999, as well as through social media sites.

The Complainant claims common law rights in MUNCHKINS and MUNCHKINS TALENT AGENCY, attaching evidence of sales, advertising, media coverage, client declarations, and industry awards, as well as actual consumer confusion with the Respondent.

The disputed domain name was created on July 28, 2023, and is registered to the Respondent Jamie Parvin of Baby Models, London, United Kingdom. The disputed domain name resolves to the Respondent’s website headed “Munchkin Models”, advertising a “Baby, Child & Family Casting Platform and Agency” for “paid opportunities across fashion, advertising, lifestyle, TV and film”. The “About Us” page claims over 10,000 models represented and more than 1000 brand partners in 44 countries, and the home page displays the logos of well-known brands such as DISNEY, HUGGIES, and NETFLIX. The site features many photos of babies and children and solicits inquiries through a “Contact Us” page, which also includes the Respondent’s contact details in London, New York, and Dubai, as well as a chat feature. The site has information for brands and photographers seeking models as well as for those seeking to have their children become models, who are invited to upload photographs of the children. The Panel notes that the Internet Archive’s Wayback Machine has archived screenshots of the Respondent’s website as early as August 1, 2023.

The Complainant sent cease-and-desist notices to the Respondent in August and September 2025.

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 is confusingly similar to its common law MUNCHKINS marks, which the Respondent is not authorized to use. The Complainant asserts that the Respondent is not commonly known by the name and is not making a bona fide offering of goods or services but is trading on the Complainant’s goodwill and has generated actual confusion.

The Complainant urges a finding of bad faith:

“Given the Complainant’s decades-long use and online presence since 1999, and the identical services, it is more likely than not the Respondent knew of the Complainant when selecting ‘Munchkin Models’ and registering munchkinmodels.com”.

The Complainant argues that the Respondent intentionally creates confusion with the Complainant’s mark to misdirect Internet users to its site for commercial gain.

¹ Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name. The Respondent states that it operated a modeling business in the United Kingdom for over twenty years and then expanded it with the website to the United States and Europe and then globally to cover 44 countries. The Respondent points to the modeling and casting platform provided over the Respondent's website since 2023 as the basis for its claim to use of the disputed domain name in connection with a bona fide offering of services before this dispute arose. The Respondent also claims a relevant trademark, referring to United Kingdom Trade Mark Number UK00004252185 (registered on November 7, 2025, filed August 20, 2025) for a figurative mark with the textual element MUNCHKIN MODELS in international class 35. The Panel notes that the owner is listed as Munchkin Models Ltd, a United Kingdom registered company. According to the Companies House online database, that company was incorporated on September 29, 2023, and the Respondent Jamie Parvin is listed as the sole director.

The Respondent denies bad faith, stating that it was not aware of the Complainant when registering the disputed domain name, which was selected because it is "a commonly used descriptive expression referring to children". The Respondent denies any intent to target the Complainant's mark or business and observes that those are limited to Australia, which is not where the Respondent is based or traditionally focused. The Respondent acknowledges that it now serves multiple jurisdictions including Australia and has an Australian page on its website, in the same format as for other regions, but has no "physical presence, employees, or targeted marketing in Australia". The Respondent observes that the Complainant has only a country specific .au website domain name and denies learning of it before the Respondent registered the disputed domain name. The Respondent argues that "[t]here is no evidence that the Complainant's business was known outside Australia at the time of registration, nor that it had any reputation that would have come to the Respondent's attention in the United Kingdom". The Respondent denies that the example of consumer confusion cited by the Complainant relates to the Respondent. The Respondent does not have an employee named "Liz", the person named in the single example given by the Complainant of a consumer inquiry indicating confusion between the Complainant and the Respondent.

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 Panel finds the Complainant has established unregistered trademark or service mark rights in the word marks MUNCHKINS and MUNCHKINS TALENT AGENCY for the purposes of the Policy, based on evidence of sales, advertising, media, and consumer recognition in a relevant Australian market over a period of many years. [WIPO Overview 3.1](#), section 1.3.

The Panel finds the MUNCHKINS marks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "models") 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

The Panel finds that, before notice to the Respondent of the dispute, the Respondent used the disputed domain name in connection with a bona fide offering of goods or services, [WIPO Overview 3.1](#), section 2.2, and also has been commonly known by a name correspondent to the disputed domain name, [WIPO Overview 3.1](#), section 2.3. The record shows that the Respondent has been using the disputed domain name for a commercial website promoting child modelling and casting services since at least August 2023 and that the Respondent Parvin incorporated and is the sole director of a United Kingdom company with a corresponding name, Munchkin Models Ltd, which now holds a United Kingdom trademark registration for a figurative mark with the textual element “MUNCHKIN MODELS”, the logo that appears on the Respondent’s website. These facts on their face suffice to establish rights or legitimate interests for Policy purposes.

The Panel finds the second element of the Policy has not been established, subject to finding in the following section that the disputed domain name, along with the corporate name and mark, were not chosen in bad faith to attack the Complainant’s Australian common law mark.

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 denies prior awareness of the Complainant and its common law MUNCHKIN marks, a necessary prerequisite to establish bad faith in the registration of the disputed domain name. The Respondent observes that “munchkin” is a term that commonly refers to children, and both Parties operate websites concerning baby and child models. The Panel notes that the word “munchkin” comes originally from fiction, as the name of the small people in the novel and film “The Wizard of Oz”, but has now entered the English language to refer (often affectionately) to any very small person or child (see the definitions in the online versions of the Cambridge Dictionary and the Merriam-Webster Dictionary). Thus, it is not implausible that both Parties would select this term for their child modelling agencies. A cursory Internet search shows that a multitude of companies selling infant and children’s products and services online use “munchkin” in their names. The Complainant’s services are not marketed in the United Kingdom, where the Respondent is located, and the Complainant’s website is in the .au country code Top-Level Domain, so the Respondent’s lack of prior knowledge is credible. Despite having a similar business, there is nothing in the record compelling an inference that the Respondent created a company, trademark, and website with a particular intent to target the Complainant with its Australian common law mark, even when expanding the Respondent’s long-term UK-based modelling business to a website with facilities to serve potential clients in 44 countries including Australia.

The evidence in the case file as presented does not indicate that the Respondent’s aim in registering the disputed domain name was to profit from or exploit the Complainant’s trademark.

The Panel finds the third element of the Policy has not been established.

On the same facts, the Panel confirms its finding on the second element of the Complaint.

7. Decision

For the foregoing reasons, the Complaint is denied.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: May 4, 2026