

ADMINISTRATIVE PANEL DECISION

Müller & Meirer, Lederwarenfabrik, GmbH v. yasmin hesham
Case No. D2026-1118

1. The Parties

The Complainant is Müller & Meirer, Lederwarenfabrik, GmbH, Germany, represented by CMS Hasche Sigle Partnerschaft von Rechtsanwälten und Steuerberatern mbB, Germany.

The Respondent is yasmin hesham, Egypt.

2. The Domain Name and Registrar

The disputed domain name <bree-official.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 16, 2026. On March 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 17, 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 March 18, 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 March 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 11, 2026.

The Center appointed a sole panelist in this matter on April 16, 2026. On May 13, 2026, the Center informed the Parties that it had been necessary for the previously appointed panelist to be recused from the case. On the same day, the Center appointed David Taylor as the sole panelist in this matter.

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 designer and manufacturer of luggage and leather goods based in Germany, offering shoes, bags, suitcases and wallets, and other goods.

The Complainant's predecessor in interest, BREE Collection GmbH, was founded in 1970. The Complainant acquired rights to the BREE trademarks in 2024. The Complainant is the owner of trademark registrations for BREE, including:

- International Trademark Registration No. 984301, BREE, registered on July 9, 2008;
- International Trademark Registration No. 984302, **BREE**, registered on July 9, 2008; and
- International Trademark Registration No. 1546857, **BREE**, registered on June 22, 2020.

The Complainant operates its official website at "www.bree.com", via which it offers its products for sale.

The Respondent is an individual located in Egypt.

The disputed domain name was registered on April 1, 2021. The disputed domain name resolves to a website entitled "BREE Official" offering footwear, bags, and related products for sale, and prominently displaying the BREE mark (the "Respondent's website").

The Respondent's website appears to be associated with a physical store located in Egypt. The footer of the Respondent's website includes a link to an Instagram profile which provides further information about the Respondent's physical store.

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.

The Complainant asserts rights in the BREE trademark. The Complainant submits that the disputed domain name is confusingly similar to its BREE trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant asserts that the Respondent is not affiliated with the Complainant, has not been granted permission to use its trademark, and is not commonly known by the disputed domain name. The Complainant argues that the Respondent has not used the disputed domain name for any legitimate noncommercial or fair use purpose.

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith. The Respondent's website prominently displays the BREE trademark and offers bags and related products for sale, creating a likelihood of confusion as to affiliation with the Complainant. The Complainant asserts that the Respondent's actions are intended to attract, for commercial gain, Internet users to the

Respondent's website by creating confusion with the Complainant's BREE trademark. The Complainant argues that the Respondent was well aware of the Complainant and its mark at the time that the disputed domain name was registered and that the Respondent is seeking to exploit the Complainant's rights through user confusion.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) The disputed domain name was registered and is being used in bad faith.

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 "official", may bear on assessment of the second and third elements, the Panel finds the addition of such a 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.

There is no evidence of there being any prior business relationship between the Parties. The Respondent is not an authorized reseller of the Complainant's goods, nor has the Respondent been granted any licence or other authorization to use the Complainant's BREE trademark.

As noted above, the Respondent's website is headed "BREE" and offers footwear, bags and related products for sale. While prior UDRP panels have recognized that resellers using a domain name containing the complainant's trademark to undertake sales related to the complainant's goods may be making a bona fide offering of goods or services and thus have a legitimate interest in such a domain name, on the materials before the Panel, and having reviewed the Respondent's website, notwithstanding the presence of the Complainant's BREE trademark on certain goods offered via the Respondent's website, those goods appear to be third-party goods. The Panel finds that the Respondent is not acting as an unauthorized reseller of the Complainant's goods. Moreover, there is no disclaimer clarifying the Respondent's non-affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.8. See also *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The Panel also notes from a review of the Respondent's Instagram profile that the Respondent's physical store displays the Complainant's figurative **BREE** trademark.¹ This use of the Complainant's figurative trademark supports the inference that the Respondent has sought to trade on the Complainant's goodwill for commercial gain, rather than having engaged in the development of an independent brand identity under the "Bree" name. In these circumstances, the Panel finds that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services pursuant to paragraph 4(c)(i) of the Policy.

The Panel further finds that the Respondent's appropriation of the Complainant's trademark does not support a legitimate claim of being commonly known by the disputed domain name independently from the Complainant's trademark as contemplated by paragraph 4(c)(ii) of the Policy.

The Respondent's website is commercial in nature. The Panel finds that the Respondent is not making any legitimate noncommercial or fair use of the disputed domain name within the meaning of paragraph 4(c)(iii) of the Policy.

The Panel further considers that the composition of the disputed domain name itself, comprising the Complainant's BREE trademark together with the term "official", is likely to mislead Internet users into believing that the disputed domain name itself is owned by or otherwise affiliated with the Complainant, further undermining a claim of fair use of the disputed domain name. [WIPO Overview 3.1](#), section 2.5.1.

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 finds the second element of the Policy has been established.

¹ Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention. [WIPO Overview 3.1](#), section 4.8.

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.

The disputed domain name wholly incorporates the Complainant's BREE mark together with the term "official". The record does not support the conclusion that the Respondent arrived at this composition innocently or without awareness of the BREE trademark. Rather, the Respondent's website offers a range of products for sale, overlapping with those offered by the Complainant. Critically, the Respondent has made use of the Complainant's BREE mark to offer what appear to be third-party goods offered for sale on the Respondent's website. The Panel infers that the Respondent had the BREE trademark in mind when registering the disputed domain name and did so with a view to trading on the goodwill and reputation associated with the mark in bad faith.

As noted above, the Respondent has used the disputed domain name to operate a commercial website headed "BREE" that offers a range of goods for sale, including third-party products, without authorization. The Panel finds that by using the disputed domain name in the manner described above, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods offered therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

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

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 <bree-official.com> be transferred to the Complainant.

/David Taylor/

David Taylor

Sole Panelist

Date: May 27, 2026