ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

JULBO v. dongmei tong
Case No. D2026-1600

1. The Parties

The Complainant is JULBO, France, represented by ARDAN, France.

The Respondent is dongmei tong, China.

2. The Domain Name and Registrar

The disputed domain name <julbostore.com> (the "Disputed Domain Name") is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 15, 2026. On April 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 17, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 21, 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 April 21, 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 April 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 21, 2026.

The Center appointed Marilena Comanescu as the sole panelist in this matter on May 28, 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, founded in 1888 and located in Jura, France, is a well-known player in the optical industry, particularly renowned for its wide range of sports eyewear.

The Complainant's range of goods covers sunglasses, goggles, ski helmets, prescription glasses and prescription sunglasses for dedicated athletes and everyday movers. The Complainant sponsors numerous athletes in numerous sports, such as freeride skiing, mountaineering, ski cross, trail running, biathlon, ski mountaineering, cross-country skiing and other; and, also, regularly enters into partnerships with worldwide top-level athletes.

The Complainant owns trademark rights for JULBO, such as the following:

- the European Union Trademark Registration number 003457454 for JULBO (word), filed on October 13, 2003, registered on April 22, 2005, covering goods in International Class 9; and

- the International Trademark Registration number 544676 for JULBO (word), registered on October 18, 1989, designating numerous jurisdictions including China, covering goods in International Class 9.

The Complainant also owns registered logo trademarks, such as the International Trademark Registration number 1789538 for figurative element, registered on March 20, 2024, designating numerous jurisdictions including China, covering goods in International Class 9.

The Complainant conducts its online activity under the domain name <julbo.com> registered on January 17, 2013. This website is visited by over 12,000 users per day and has 83,316 daily page impressions.

The Complainant is also active on the social media platforms, with 171,000 followers on Facebook, and 108,000 followers on Instagram.

The Disputed Domain Name was registered on April 29, 2024, and, at the time of filing the Complaint, it was used in relation to a commercial website promoting products similar and identical to those provided by the Complainant, including purported JULBO-branded goods offered for sale at discounted prices, and displaying the Complainant's JULBO trademark and logo, product images, and also using a similar color scheme (grey and black) and displaying, on the homepage, a banner featuring a photograph of an athlete, just like the Complainant's website. No disclaimer and no information about its operator is available on the website under the Disputed Domain Name.

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 the following:

- the Complainant and its trademarks enjoy a significant reputation and influence in France and abroad;

- the Disputed Domain Name is almost identical or confusingly similar to its trademark and domain name since it wholly incorporates the mark with the addition of the word “store”, which is secondary and does not affect the similarity between the signs as it is descriptive of the place where the goods are sold;

- the Respondent has no rights or legitimate interests in the Disputed Domain Name; the website associated with the Disputed Domain Name is very similar to the website owned by the Complainant; the Respondent is not an authorized reseller of the Complainant; the website under the Disputed Domain Name nowhere mentions that the Respondent is not affiliated with the Complainant and there is therefore a risk of confusion for Internet users visiting this website. Consequently, the Disputed Domain Name is misleading as to its source or affiliation; and

- the Respondent registered and is using the Disputed Domain Name in bad faith mainly because: (i) the Complainant’s registered trademarks have been filed since 1989 and are well-known while the Disputed Domain Name was registered on April 29, 2024; (ii) a basic search conducted on engines like Google, Yahoo or Bing for “julbo”, immediately reveals the Complainant’s website and products and the Respondent must have been aware of the Complaint and its products when registering the Disputed Domain Name; (iii) the Respondent is using the Disputed Domain Name in relation to a website very similar to the Complainant’s own website and thus is misleading the public by trying to make consumers believe that it is the same business as the Complainant. This causes financial loss, disrupts the Complainant’s business and/or is detrimental to the distinctive character or repute of the Complainant’s well-known JULBO trademark; (iv) the use of the Disputed Domain Name in connection with a website selling counterfeits of the Complainant’s goods, and copying most of the content of the Complainant’s website without its authorization, is an obvious fact that the Respondent is trying to capture the Complainant’s customers and benefit from the JULBO trademark and its reputation; and (v) the Respondent has registered the Disputed Domain Name under a privacy services and the tabs “About us” and “Contact us” in the website associated with the Disputed Domain Name do not indicate the Respondent’s name.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

(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 the Disputed Domain Name; and

(iii) the Disputed Domain Name has been 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 Panel finds the mark is recognizable 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.

While the addition of other term, here “store”, 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 the 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 3.1, 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.

According to the evidence, the Respondent has used the Disputed Domain Name in connection with a website promoting and offering for sale goods identical to those of the Complainant with significant price reductions, reproducing the Complainant’s trademark, logo and product images, without providing any disclaimer regarding the relationship (in fact the lack thereof) between the Respondent and the Complainant. UDRP panels have held that the use of a domain name for illegitimate activity (such the sale of counterfeit goods, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel also notes that the composition of the Disputed Domain Name itself carries a risk of implied affiliation given that the Complainant’s trademark has been reproduced in the Disputed Domain Name, together with the dictionary non-distinctive term “store”, related to the Complainant’s business. WIPO Overview 3.1, section 2.5.1.

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 Disputed Domain Name was registered in bad faith, with knowledge of the Complainant and its trademark particularly since it incorporates the Complainant’s mark (which predates the registration of the Disputed Domain Name with about 35 years) together with the dictionary term “store”, and is highly similar to the Complainant’s domain name and company name. Further, the use of the Disputed Domain Name reinforces such finding.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Creating a website displaying the Complainant's trademarks, product images and color scheme, offering for sale identical and similar goods to those of the Complainant, without providing any disclaimer, in this Panel's view, the Respondent has intended to attract Internet users accessing the website at the Disputed Domain Name who may be confused and believe that the website is held, controlled by, or somehow affiliated or related to the Complainant, for the Respondent's commercial gain.

The use of a domain name for per se illegitimate activity such as the sale of claimed counterfeit goods or impersonation/passing off can never confer rights or legitimate interests on a respondent and such behavior is manifestly considered evidence of bad faith.

Moreover, previous UDRP panels have found that the mere registration of a domain name that is identical or confusingly similar to a widely known trademark by an unaffiliated entity can, by itself, create a presumption of bad faith for the purpose of Policy. WIPO Overview 3.1., section 3.1.4.

The Panel finds 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, <julbostore.com>, be transferred to the Complainant.

/Marilena Comanescu/
Marilena Comanescu
Sole Panelist
Date: June 3, 2026