ADMINISTRATIVE PANEL DECISION

Allinox BV v. daniel lopez
Case No. D2026-2161

1. The Parties

The Complainant is Allinox BV, Belgium, represented by IP Porta Advocaten, Belgium.

The Respondent is daniel lopez, United States of America.

2. The Domain Name and Registrar

The disputed domain name <bekacookwareoutlet.shop> (the “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 May 19, 2026. On May 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On May 20, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 22, 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 May 22, 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 June 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 8, 2026.

The Center appointed Gregor Vos as the sole panelist in this matter on July 10, 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 manufacturer of kitchenware and sells its products under the brand BEKA. The Complainant distributes its products through a network of authorized resellers and through its own official website "www.beka-cookware.com".

The Complainant is the owner of, inter alia, the following trademark registrations (hereinafter referred to as the "Trademarks"):

- Benelux trademark registratio (figurative) No. 750950, registered on March 3, 2004;
- European Union trademark registratio (figurative) No. 018976413, registered on May 4, 2024.

The Domain Name was registered on April 8, 2026. The Domain Name resolved and continues to resolve to a website that purported to offer BEKA-branded cookware products for sale. The website is titled "Beka Cookware" and prominently displays the Complainant's Trademarks. The website further includes references to the Complainant's history dating back to 1899, product collections identified by the Complainant's own collection names, and a copyright notice attributing the website to "Beka Cookware".

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 Domain Name.

Notably, the Complainant contends that the Domain Name is confusingly similar to the Trademarks of the Complainant, the Respondent has no rights or legitimate interests in respect of the Domain Name, and the Domain Name has been registered and is being used in bad faith.

Firstly, the Complainant contends that the Domain Name is confusingly similar to the Trademarks. The Domain Name incorporates the Trademarks in their entirety with the mere additions of the terms "cookware" (descriptive for the goods for which the Trademarks are registered) and "outlet" (descriptive as it suggests that the Domain Name is used for the sale of outlet products). The addition of other descriptive terms in the Domain Name cannot prevent a finding of confusing similarity.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant has not granted any consent or authorization to use the Trademarks in the Domain Name. The Respondent is not an authorized distributor of the Complainant and has no affiliation with the Complainant. The Complainant recently received multiple complaints from customers who believed they had placed orders with the Complainant, but whose orders were never delivered. As a result, the Complainant contends that it is suffering reputational harm.

Finally, according to the Complainant, the Respondent has registered and is using the Domain Name in bad faith. The Trademarks predate the Domain Name. Given the content of the website to which the Domain Name resolves and the fact that the Domain Name is almost identical to the Complainant's official Domain Name (<beka-cookware.com>), the Domain Name falsely suggests an affiliation with the Complainant. As a result, potential customers are wrongfully diverted away from the Complainant's official website.

Accordingly, the Complainant contends that the Respondent registered the Domain Name for the purpose of disrupting the Complainant's business and argues that the Respondent intentionally uses the Trademarks in its Domain Name for commercial gain.

B. Respondent

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

6. Discussion and Findings

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

i. the Domain Name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;

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.

Only if all three elements have been fulfilled, the Panel is able to grant the remedies requested by the Complainant. The Panel will deal with each of the requirements in turn.

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 Trademarks and the Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7. In cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that trademark (see section 1.7 of the WIPO Overview 3.1).

In conducting this assessment, the Panel compares the Domain Name with the word elements of the relevant marks. To the extent that design, figurative or stylized elements would be incapable of representation in domain names, these elements are generally disregarded for the purpose of assessing identity or confusing similarity under the first element (WIPO Overview 3.1, Section 1.10).

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 Domain Name incorporates the word elements of the Trademarks with the addition of the words "cookware" and "outlet" and the generic Top-Level Domain ("gTLD") ".shop".

It is well established that the gTLD ".shop" in the Domain Name is viewed as a standard registration requirement and as such is disregarded under the first element of confusing similarity. WIPO Overview 3.1, section 1.11.

Furthermore, the word element of the Trademarks "beka" is reproduced identically in the Domain Name. Although the addition of the terms "cookware" and "outlet" may bear on assessment of the second and third elements, the Panel finds that the addition of such terms does not prevent a finding of confusing similarity between the Domain Name and the Trademarks for the purposes of the Policy (see section 1.8 WIPO Overview 3.1). Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

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 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 Domain Name such as those enumerated in the Policy or otherwise.

In this case, the composition and use of the Domain Name create a risk of implied affiliation. The Domain Name incorporates the Trademarks in their entirety, together with the descriptive terms "cookware" and "outlet". In addition, the website to which the Domain Name resolves purportedly offers the Complainant's products for sale, prominently displays the Complainant's (figurative) Trademarks and otherwise imitates the Complainant by referring to the Complainant's history and using its product collection names, without disclosing the Respondent's lack of relationship with the Complainant. This creates the false impression that the Respondent is affiliated with, endorsed by, or authorized by the Complainant. The Panel finds that such use does not confer rights or legitimate interests under the Policy.

For completeness, the Panel notes that based on the record before it and in the absence of any such defense raised by the Respondent, the Respondent has not satisfied the Oki Data test (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903), in any case because the Respondent does not accurately disclose its relationship with the Complainant (WIPO Overview 3.1, Section 2.8).

Moreover, panels have held that the use of a domain name for illegitimate or illegal activity, in this case passing off the Complainant through the unauthorized use of its Trademarks and website content, 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.

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.

In the present case, the Panel notes that the Trademarks predate the registration of the Domain Name. Considering the composition of the Domain Name and the Respondent's use of the Domain Name to pass off the Complainant by reproducing its Trademarks, product collection names and other references associated with Complainant, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Name without knowledge of the Complainant, its activities, and the Trademarks under which the Complainant is doing business.

The Panel has found that the Respondent lacks any rights to or legitimate interests in the Domain Name, and the Panel finds from the present circumstances that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website on which commercial content was displayed, by creating a likelihood of confusion with the Complainant's Trademarks.

Furthermore, Panels have held that the use of a domain name for illegitimate activity, such as for example passing off the Complainant by copying its Trademarks, constitutes bad faith. WIPO Overview 3.1, section 3.4.

Lastly, the Respondent's concealment of its identity through a privacy shield when registering the Domain Name further supports a finding of bad faith. WIPO Overview 3.1, section 3.2.1.

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 <bekacookwareoutlet.shop> be transferred to the Complainant.

/Gregor Vos/
Gregor Vos
Sole Panelist
Date: July 24, 2026