

ADMINISTRATIVE PANEL DECISION

Sack Consulting Inc. v. Muhammad Osama Khan, Degetas Media, Degetas Media

Case No. D2026-2340

1. The Parties

The Complainant is Sack Consulting Inc., United States of America ("United States"), represented by Nelson Mullins Riley & Scarborough LLP, United States.

The Respondents are Muhammad Osama Khan, Degetas Media, United Kingdom; and Degetas Media, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <resilla.shop> and <tryresilla.shop> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 29, 2026. On June 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 3, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names 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 June 3, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain name associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed an amended Complaint on June 3, 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 Respondents of the Complaint, and the proceedings commenced on June 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 2, 2026. The Response was filed with the Center on June 16, 2026. The Respondents sent the email communications to the Center on June 19, 2026.

The Complaint originally included a third disputed domain name <resiliaoregano.com>. On June 19, 2026, the Complainant requested termination in relation to that domain name from this Complaint and filed a separate proceeding in relation to that domain name.

The Center appointed John Swinson as the sole panelist in this matter on July 9, 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 an online health and nutritional supplements company based in the United States.

One of the Complainant's top brand is its RESILIA oil of oregano supplement. The Complainant first began using its RESILIA trademark in commerce in the United States since at least as early as September 1, 2024.

The Complainant's RESILIA supplements can be purchased online at the domain name <resilia.shop>. This domain name was registered by the Complainant on August 31, 2024.

Since launching the RESILIA brand the Complainant states it has spent on average USD 2.8 million on marketing and advertising.

The Complainant has a pending United States trademark application for RESILIA having the serial number 99402158. This application was filed on September 19, 2025. It was published for opposition on May 19, 2026. An extension of time to oppose was filed on May 25, 2026.

The disputed domain name <resilla.shop> was registered on February 17, 2026.

The disputed domain name <tryresilla.shop> was registered on April 6, 2026.

The Response did not provide any information regarding the Respondents. According to the Registrar's records, and a Google Maps search conducted by the Panel, the Respondents' address is a residential property in the north of England, United Kingdom. The case file does not include details of any websites operated by the Respondents other than those at the disputed domain names.

The websites at the disputed domain names are similar. They include a logo that is the same logo as appearing on the Complainant's website. They include images of product packaging that is the same as the Complainant's product packaging except that the term RESILIA has been removed from the packaging. In one case, the term RESILLA is shown on the Respondents' packaging, but otherwise there product is unbranded. Both the Complainant's packaging and the Respondents' packaging includes "OIL OF OREGANO" in large font.

The website at the disputed domain name <tryresilla.shop> has the title: "Resilia Organic Oregano Oil Softgels 6000mg + Black Seed Oil – Natural" and has the meta-tag description: "Enhance your immune system and digestive health with Resilia 6000mg Oil of Oregano Softgels + Black Seed Oil. A powerful non-GMO, gluten-free herbal supplement packed with antioxidants for natural immunity and gut support."

The website at the disputed domain name <resilla.shop> includes the term "resilia" in several places in the websites HTML code.

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 names.

In summary, the Complainant makes the following submissions.

Prior to the Respondents' registration of the disputed domain names, the Complainant obtained common law rights in the RESILIA mark, dating back to 2024, when the Complainant first began using the RESILIA Mark in commerce in the United States.

The RESILIA mark is readily identifiable in all of the disputed domain names. As it pertains to the <resilla.shop> and <tryresilla.shop> disputed domain names, it is well established that a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element of the Policy.

For example, with the <resilla.shop> disputed domain name, this disputed domain name is essentially comprised solely of the RESILIA mark, in that the disputed domain name is comprised solely of an obvious and intentional misspelling of the Complainant's RESILIA mark, exchanging the second "i" in RESILIA with the letter "l".

Bad faith registration can be found where the Respondents "knew or should have known" of the Complainant's trademark rights and nevertheless registered a domain name in which they had no rights or legitimate interests. There can be no question that the Respondents knew of the Complainant when the Respondents registered the disputed domain names as is evident from the Respondents' use of the disputed domain names to host copycat impersonation websites.

The Respondents' use of the disputed domain names is in furtherance of an illegal activity, namely, impersonation/passing off and possibly/probably also harvesting of personal information under false pretenses, namely, through operation of copycat websites at the disputed domain names. Panels have categorically held that the use of a domain name for illegal activity such as impersonation/passing off, phishing scams, or other types of fraud can never confer rights or legitimate interests on a respondent.

B. Respondents

The Respondents contend that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant's asserted rights are not exclusive. The term RESILIA is used in connection with multiple trademark applications and registrations by unrelated parties. The Complainant's trademark application is pending, and the Respondents dispute any claim that the term is uniquely associated with the Complainant.

Furthermore, the Complainant's trademark application was pending at the relevant time and has not yet matured into a United States federal registration.

The Respondents further dispute the Complainant's assertion that the Respondents' websites constitute copycat or impersonation websites. The Respondents never represented themselves as the Complainant, never claimed affiliation with the Complainant, and never identified itself as the Complainant. The websites differ materially in structure, layout, bundle configuration, content presentation, navigation, and overall user experience.

The Complainant has failed to establish that the Respondents registered or used the disputed domain names in bad faith.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The onus of proving these elements is on the Complainant.

Each of the disputed domain names must be considered separately.

6.1 Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The Respondent Degetas Media stated that the disputed domain name <resiliaoregano.com> that was originally in the Complainant was not associated with the Respondent. The Complainant thereafter submitted a termination request in relation to the domain name <resiliaoregano.com>. The Respondent Degetas Media also explicitly stated that the Respondent owns and operates <resilla.shop> and <tryresilla.shop>.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that the Respondent Degetas Media admitted that it owns and operates the disputed domain names <resilla.shop> and <tryresilla.shop>. Further, the Registrar's records for the disputed domain name <resilla.shop> records the Registrant as Muhammad Osama Khan from the Registrant organisation Degetas Media, and these records also show that the address and email address are the same for both the disputed domain names <resilla.shop> and <tryresilla.shop>.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. The Respondent Degetas Media made submissions in respect of the disputed domain names <resilla.shop> and <tryresilla.shop>.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

The Panel also notes that the Complaint in relation to the domain name <resiliaoregano.com> has been terminated, and the Panel makes no findings in respect of that domain name.

6.2 Substantive Issues

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 does not have registered trademark rights in respect of its RESILIA brand. A pending trademark application does not by itself establish trademark rights within the meaning of UDRP paragraph 4(a)(i). [WIPO Overview 3.1](#), section 1.1.4.

The Complainant has shown unregistered rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.3. The Complainant has provided detailed relevant evidence demonstrating acquired distinctiveness in respect of RESILIA such as (i) the duration and nature of the use of the mark (which includes social media presence and engagement), (ii) the amount of sales under the mark prior to registration of the disputed domain names, and (iii) the nature and extent of advertising using the mark – including evidence of expenditures over a relevant time period.

The fact that the Respondent is targeting the Complainant's mark (as discussed below) also supports the Complainant's assertion and evidence that its RESILIA mark has achieved significance as a source identifier.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The Panel considers that the Respondent's use of "resilla" in both disputed domain names is an intentional misspelling of the Complainant's RESILIA mark.

Although the addition of other terms (here, "try") for one of the disputed domain names 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Respondent's websites use the Complainant's logo, include images of the Complainant's products with RESILIA deleted from such images and use the Complainant's RESILIA mark in the Respondent's website title and description meta-tags and include the Complainant's RESILIA mark in the website HTML code. In short, the Respondent is passing off its products as those of the Complainant and is using the Complainant's trademark to attract website traffic to the Respondent's websites.

Panels have held that the use of a domain name for illegitimate activity such as passing off 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

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

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 Respondent is clearly aware of the Complainant and its RESILIA mark. See discussion above in respect of the second element and the Respondent's use of the Complainant's mark in its websites. Moreover, the Respondent is using the disputed domain names to advertise the products mimicking the Complainant's own products to take advantage of the Complainant's reputation in its RESILIA product.

Panels have held that the use of a domain name for such illegitimate activity constitutes bad faith. [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 names <resilla.shop> and <tryresilla.shop> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: July 23, 2026