

ADMINISTRATIVE PANEL DECISION

The Gillette Company v. Aria, gillettepro
Case No. D2025-0189

1. The Parties

The Complainant is The Gillette Company, United States of America (“United States” or “US”), represented by Studio Barbero S.p.A., Italy.

The Respondent is Aria, gillettepro, United States.

2. The Domain Name and Registrar

The disputed domain name <gillettepro.com> is registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 17, 2025. On January 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 20, 2025, 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 (Not Disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 23, 2025, 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 January 23, 2025.

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 January 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 20, 2025.

The Center appointed Angela Fox as the sole panelist in this matter on March 6, 2025. 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 US-based supplier of products under various brands, including in particular razors and personal grooming and toiletry products under the trademark GILLETTE, which it sells in more than 200 countries worldwide, including the United States. The GILLETTE brand is one of the world's most famous personal grooming and toiletry brands, with a range including among other goods razors, shaving equipment, deodorants/antiperspirants, shaving creams and aftershaves. The Complainant was founded in 1901 and first registered the GILLETTE trademark in the United States in 1905.

In 2010, the Complainant's GILLETTE-branded razors had approximately 70% of the global razors market share. In 2019, the brand generated over USD 150 million of sales in the United States by retailing over 13 million units. The GILLETTE brand is also the market leader in razor sales in Europe and India. According to InterBrand Best Global Brands List 2024, the trademark GILLETTE is valued at USD 10.1 billion and represents the 75th most valuable trademark in the world.

The Complainant owns numerous trademark registrations for GILLETTE in plain and stylized form around the world, including the following, details of which were annexed to the Complaint:

- United States Trademark Registration No. 767865 for GILLETTE (word mark), filed on August 13, 1963 and registered on April 7, 1964, in Class 8;
- European Union Trademark Registration No. 6665319 for GILLETTE (word mark), filed on February 13, 2008 and registered on November 18, 2008, in Classes 3 and 8; and
- United States Trademark Registration No. 5749644 for GILLETTE [Stylised], filed on September 3, 2018 and registered on May 14, 2019, in Class 8.

The disputed domain name was registered on November 14, 2024. The Respondent has been using it to host a website offering for sale purported GILLETTE-branded products at discounted prices. Screenshots of the Respondent's website were included in the Complaint showing images of GILLETTE-branded products, details, prices and a "Buy Now" option. The copyright line at the bottom of the website reads, "Copyright © 2025 POWERED BY GILLETTEPRO". There is nothing on the website concerning its relationship with the Complainant, i.e. to state that there is none.

The Complainant has noted that mail exchange records ("MX records") for use in connection with email communication are displayed in the DNS configuration for the disputed domain name, which indicates that the disputed domain name was set up for use in connection with the receipt and sending of emails.

When the Complainant became aware of the disputed domain name, it sent a cease and desist letter on December 20, 2024 to the Respondent at the email address published on the Respondent's website, requiring it to transfer the disputed domain name to the Complainant, and a reminder was sent on January 13, 2025. No reply was received. Similarly, a demand letter and reminder sent to the hosting provider also went unanswered.

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 the GILLETTE trademark, in which the Complainant has rights. It incorporates the whole of the Complainant's trademark and the mere addition of the generic term "pro" does not reduce the confusing similarity, and indeed may

increase it by suggesting to consumers that the linked website relates to more professional versions of the Complainant's products.

The Complainant also submits that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not a licensee or authorized agent of the Complainant and is not in any other way authorized to use the Complainant's trademark GILLETTE. Moreover, the Complainant is not in possession of, nor aware of, any evidence that the Respondent is commonly known by a name corresponding to the disputed domain name as an individual, business, or other organization. The Respondent was not using and had not made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services before notice of the dispute, or indeed since, nor has the Respondent used it in connection with a legitimate noncommercial or fair use, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark. The Respondent's use of the disputed domain name to redirect to a website offering for sale purported GILLETTE products at discounted prices is not a bona fide commercial use because the Respondent has failed to accurately and prominently disclose its lack of relationship with the Complainant, thus generating a likelihood of confusion among Internet users. In addition, the disputed domain name carries a high risk of implied affiliation with the Complainant and effectively impersonates or suggests a sponsorship or endorsement by the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and has been used in bad faith. In light of the international fame of the GILLETTE trademark including in the United States, where the Respondent is purportedly based, and taking the contents of the website into account, the Respondent clearly knew of the existence of the Complainant's trademark when it registered and used the disputed domain name. The well-known character of the GILLETTE trademark has been recognized by numerous prior panels, including in *The Gillette Company v. Efimova E S*, WIPO Case No. [D2013-0138](#), and *The Gillette Company v. Amaltea Impex S.R.L.*, WIPO Case No. [DRO2009-0003](#). The Complainant submits that the Respondent's purpose in registering and using the disputed domain name has been to intentionally attempt to attract Internet users seeking the Complainant's branded products to its own website for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of its website and the goods offered on it, under paragraph 4(b)(iv) of the Policy. The Complainant also submits that the Respondent's bad faith is evident from its apparent provision of incomplete and inaccurate contact details in the Whois record connected with the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions and is in default. No exceptional circumstances explaining the default have been put forward. Therefore, in accordance with paragraphs 14 (a) and (b) of the Rules, the Panel will decide the Complaint and shall draw such inferences as it considers appropriate from the Respondent's default.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant can only succeed in an administrative proceeding under the Policy if the panel finds 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.

All three elements must be present before a complainant can succeed in an administrative proceeding under the Policy.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

In this case, the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), 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 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 3.0](#), section 2.1.

In this case, the Respondent is not a licensee of nor in any way affiliated with the Complainant. Although the Respondent's purported name as disclosed in the proceedings is "Aria, gillettepro", the Respondent's address details are incomplete and there is nothing on the facts to indicate that the Respondent is commonly known by the disputed domain name or even by a name incorporating it, such as "Aria, gillettepro". The Panel considers the Respondent's use of "gillettepro" as its organization name when registering the disputed domain name does not confer rights on the Respondent under the circumstances of this case. The Respondent has been using the disputed domain name to offer for sale what purport to be GILLETTE products of the Complainant at discounted prices. However, this is not a bona fide offering of goods under the Policy. Where a respondent is re-selling a complainant's products, then the applicable criteria for determining whether a respondent can assert a right or legitimate interest in a domain name that incorporates the complainant's trademark are set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#). The Panel agrees with the Complainant that the Respondent does not fall within these criteria because the Respondent's website does not disclose the fact that the website is not linked to the Complainant. There is a risk of implied affiliation and confusion with the Complainant arising from the Respondent's activities.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy establishes certain circumstances which, in particular, but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Under paragraph 4(b)(iv) of the Policy, such circumstances include that by using the disputed domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its 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 its website or location or of a product or service on its website or location.

In this case, the Respondent has used the disputed domain name in connection with a website which clearly targets the Complainant, and which uses the Complainant's trademark in order to offer what purport to be the Complainant's products at discounted prices. The Respondent's website does not disclose that it has no relationship with the Complainant and taking into account the confusing similarity of the disputed domain name and trademark, and the nature of the Respondent's use, there is a clear likelihood of confusion with the Complainant's GILLETTE mark as to the source, affiliation or endorsement of the Respondent's website. The Panel finds that the Respondent has been using the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant.

Taking all of this into account, the Panel finds that the Respondent registered and has used the disputed domain name in bad faith. The Complainant has therefore 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 <gillettepro.com> be transferred to the Complainant.

/Angela Fox/

Angela Fox

Sole Panelist

Date: March 23, 2025