

ADMINISTRATIVE PANEL DECISION

Collector Square v. Gary Hansley, CollectorSquare LLC
Case No. D2025-0294

1. The Parties

The Complainant is Collector Square, France, represented by MEYER & Partenaires, France.

The Respondent is Gary Hansley, CollectorSquare LLC, United States of America.

2. The Domain Name and Registrar

The disputed domain name <collectorsquares.com> is registered with eNom, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 24, 2025. On January 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 27, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 28, 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 amended Complaint on January 30, 2025.

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 January 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 21, 2025.

The Center appointed Gökhan Gökçe as the sole panelist in this matter on February 25, 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 company incorporated in France, which has been operating since 2013 as an online retailer dealing in appraised vintage luxury items such as second-hand bags, watches, jewelry and objects d'art. It has a website connected to its <collectorsquare.com> domain name registered on March 26, 2012.

The Complainant is the owner of several trademark registrations for COLLECTOR SQUARE including the following:

- French trademark registration no. 3975965 for COLLECTOR SQUARE registered on May 24, 2013, in classes 35, 36, 38, 41, 42, and 45;
- European Union trademark registration no. 13744602 for COLLECTOR SQUARE registered on September 2, 2015, in classes 35, 36, and 38; and
- International trademark registration no. 1265251 for COLLECTOR SQUARE registered on April 14, 2015, in classes 35, 36, and 38.

The disputed domain name was registered on September 26, 2024. The Panel visited the disputed domain name on March 4, 2025, and determined that the disputed domain name does not resolve to any active website. According to the evidence provided by the Complainant, the disputed domain name at some point redirected to the Complainant's website "www.collectorsquare.com". Furthermore, the disputed domain name was used to send fraudulent emails in the name of "Collector Square LLC" for recruitment scams.

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.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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 has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([WIPO Overview 3.0](#)).

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views stated therein.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 entirety of the mark is reproduced within the disputed domain name with the addition of the letter "s" at the end. The addition of the letter "s" does not prevent a finding of confusing similarity of the disputed domain name to the Complainant's trademark, as the trademark remains recognizable within the disputed domain name. (See *Heartland Payment Systems v. Purple Bucquet*, WIPO Case No. [D2010-0722](#) (disputed domain name that adds one letter to the complainant's mark is confusingly similar because "an unsuspecting consumer would find the disputed domain name visually and phonetically similar and almost identical to the complainant's mark"); *TVS Motor Company Limited v. Vistaprint Technologies Limited*, WIPO Case No. [DCO2014-0007](#) (adding two additional letters at the end of the domain name "does nothing to remove the resemblance to key elements of the trademarks")

Finally, the addition of a generic Top-Level Domain ("gTLD") such as ".com" in a domain name is technically required. Thus, it is well established that such an element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark. See *Proactiva Medio Ambiente, S.A. v. Proactiva*, WIPO Case No. [D2012-0182](#), and [WIPO Overview 3.0](#), section 1.11.1.

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 with the second element. [WIPO Overview 3.0](#), 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 Complainant, there is no association or connection between the Respondent and the Complainant. The Complainant has not granted the Respondent any license or authorization to use or register any domain name incorporating the Complainant's COLLECTOR SQUARE marks. Furthermore, the Respondent has not responded to the Complaint, failing to present any information or factors that could justify prior rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name or that before any notice of the dispute, the Respondent has made use of, or demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services. Instead, the disputed domain name was redirected to the Complainant's website and was used to send fraudulent emails.

Panels have held that the use of a domain name for illegal activity such as sending fraudulent emails, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Panel notes that the Respondent has used "CollectorSquare LLC" as the organization name when registering the disputed domain name. It is highly likely that the Respondent adopted this name in order to benefit from confusion with the Complainant, which cannot give rise to rights or legitimate interests.

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 Respondent's use of the disputed domain name to create a false association with the Complainant and to perpetuate fraudulent employment or phishing schemes under the disputed domain name that creates a confusion that the disputed domain name is operated by the Complainant constitutes bad faith pursuant to the Policy.

It is clear that the Respondent's objective from the outset was to register a deceptively similar domain name (the Complainant's principal trademark adding a single letter "s") with the fraudulent intent of using it for email addresses barely distinguishable from email addresses used by the Complainant's staff and thereby seeking to defraud job applicants, deceiving them into believing that the job offers emanated from the Complainant and seeking personal information (including bank details) from them in the process.

The Panel finds the circumstances of the case support a finding of bad faith under the Policy. In particular:

- (i) The selection of a domain name so close to that of the Complainant and set to redirect to the Complainant's website is an indication of bad faith intent to impersonate the Complainant.
- (ii) Similarly, the provision to the Registrar on registration of the disputed domain name of the Complainant's name (correctly spelt) as the name of the Respondent's organization is also an indication of bad faith with a determination of impersonation.
- (iii) The use of documents such as job descriptions and employment contracts headed by the name of the Complainant and featuring a false address for the Complainant removes any possible doubt as to the Respondent's bad faith intent.

(iv) The messages reproduced in Annexes E, F, and G to the Complaint show that the disputed domain name was used to send fraudulent emails and the Respondent's intentions were to impersonate the Complainant for unfair gain.

Panels have held that the use of a domain name for illegal activity such as sending fraudulent emails, constitutes bad faith. [WIPO Overview 3.0](#), 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 record submitted by the Complainant showing the Respondent's fraudulent email scam indicates that the Respondent registered the disputed domain name for the purpose of using it in an email address to fraudulently obtain personal and financial information from job applicants hoping to become employed by the Complainant. This indicates that the disputed domain name was used for impersonating the Complainant. This unequivocally indicates a bad faith use of the disputed domain name. In addition, the Panel finds that the failure of the Respondent to submit a response to the Complainant's contentions affirms the Panel's finding of bad faith.

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 <collectorsquares.com> be transferred to the Complainant.

/Gökhan Gökçe/

Gökhan Gökçe

Sole Panelist

Date: March 5, 2025