

ADMINISTRATIVE PANEL DECISION

PIM BRANDS, S.L. v. Mandery Exena

Case No. D2025-0559

1. The Parties

The Complainant is PIM BRANDS, S.L., Spain, represented by LexJuridic Abogados, Spain.

The Respondent is Mandery Exena, United States of America.

2. The Domain Name and Registrar

The disputed domain name <wahshows.com> (the “Domain Name”) is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 12, 2025. On February 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 12, 2025, 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 (PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 17, 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 February 18, 2025.

The Center verified that 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 February 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 19, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on March 21, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a company that operates in promotion, organization, and production of events. The Complainant is part of a broader corporate group that operates under the commercial name WAH. The group structure was designed to optimize operational efficiency by distributing responsibilities across different entities. All companies in the group are owned and controlled by Miguel De Páramo Gómez.

The Complainant owns trademark registrations for WAH, such as European Union trademark EUIPO No. 018522729 (registered on July 27, 2021) and United States of America trademark registration USPTO No. 97511651 (registered on July 20, 2022). The Complainant's sister company has registered the domain name <wahshow.com>.

The Domain Name appears to be registered on December 13, 2024. The Domain Name has resolved to a webpage with pay-per-click links.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and implies that the Domain Name is confusingly similar to the Complainant's trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The names "WAH" or "WAH SHOW" are according to the Complainant clearly associated with the Complainant's distinct event production, and there is no overlap with the Respondent's activities.

The Complainant argues, inter alia, that it is evident that the Respondent has no rights or legitimate interests in the Domain Name. The Respondent seeks to take advantage of the recognition and reputation of the Complainant. According to the Complainant, the Complainant is a recognized and prestigious brand. The Respondent has registered and used the Domain Name to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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 Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has established that it has rights in the trademark WAH. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "shows". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. [WIPO Overview 3.0](#), section 1.8. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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.

There is no evidence on the record showing that the Respondent is affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent’s use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the composition of the Domain Name, noting the similarities with the Complainant’s domain name, and the use of the Domain Name are evidence of bad faith.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

The Respondent most likely knew of the Complainant when he registered the Domain Name. It follows from the composition of the Domain Name, and the fame of the Complainant’s brand. As mentioned above, the Domain Name has resolved to a webpage with pay-per-click links. Such use does not vest the Respondent with rights or legitimate interests, and the Respondent cannot disclaim responsibility for use associated with its Domain Name. See [WIPO Overview 3.0](#), section 3.5.

Based on the case file and the fact that there are no other explanations offered to why the Respondent has registered the Domain Name, the Panel concludes that the Respondent has most likely registered the Domain Name in an attempt to unfairly take advantage of the Complainant’s brand and trademark.

Based on the available record, 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 the Domain Name <wahshows.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: March 28, 2025