

ADMINISTRATIVE PANEL DECISION

Hunza G Limited v. hongya Qiao, Maria Bach, Tobias Freytag, Simone Egger, Janina Kuester, Vanessa Bayer, Wolfgang Freytag, Tom Schmid, Sarah Bosch, Max Bach, Michael Dietrich, Katrin Herman, Christina Meister, Marlene Owens, zhen jinpen, and Yanling Lv
Case No. D2025-0623

1. The Parties

The Complainant is Hunza G Limited, United Kingdom, represented by Briffa Legal Limited, United Kingdom.

The Respondents are Maria Bach, Tobias Freytag, Simone Egger, Janina Kuester, Vanessa Bayer, Wolfgang Freytag, Tom Schmid, Sarah Bosch, Max Bach, Michael Dietrich, Katrin Herman, Christina Meister, Germany; Marlene Owens, United States of America; and zhen jinpen, Yanling Lv, hongya Qiao, China.

2. The Domain Names and Registrars

The disputed domain names <hunzag-belgie.com>, <hunzagdenmark.com>, <hunzag-dubai.com>, <hunzagmadrid.com>, <hunzag-mexico.com>, <hunzag-nederland.com>, <hunzagnyc.com>, <hunzagoslo.com>, <hunzagparis.com>, <hunzagpoland.com>, <hunzag-schweiz.com>, and <hunzagtürkiye.com> (<xn--hunzagtrkiye-jlb.com>) are registered with Key-Systems GmbH.

The disputed domain names <hunzag-pl.shop>, <hunzag-fr.shop>, <hunzag-se.com>, and <hunzag-sweden.com> are registered with Cosmotown, Inc.

The disputed domain name <hunzagswim.com> is registered with Dynadot Inc.

The disputed domain name <hunzagua.com> is registered with Sav.com, LLC

The disputed domain names are hereinafter referred to as the “Domain Names”. Key-Systems GmbH Cosmotown, Inc., Dynadot Inc, and Sav.com, LLC are hereinafter referred to as the “Registrars”.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 17, 2025. On February 18, 2025, the Center transmitted by email to the Registrars a request for registrar

verification in connection with the Domain Names. Between February 18, 2025, and February 20, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Not Known) and contact information in the Complaint.

The Center sent an email communication to the Complainant on February 27, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names 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 March 4, 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 Respondents of the Complaint, and the proceedings commenced on March 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 1, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on April 7, 2025.

The Center appointed Marina Perraki as the sole panelist in this matter on April 11, 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 was incorporated in 2018 and is active in designing and offering for sale swimwear and clothing under the HUNZA and HUNZA G marks. The HUNZA mark has been in use since 1984 in connection with swimwear and clothing by the Complainant's group of companies. The Complainant's products are sold in 250 retail stores/online in the world, including Harrods, Selfridges, Net-a-Porter, Farfetch and SaksFifthAvenue. For the financial year that ended May 31, 2024, the Complainant's turnover for the sale of clothing and accessories was over GBP 26 millions. The Complainant has over 499,000 Instagram followers and per the Complaint it is regularly featured in the online press.

The Complainant is the proprietor of HUNZA and HUNZA G trademarks including:

- the United Kingdom trademark registration No. UK00003100102, HUNZA (word), filed on March 19, 2015 and registered on June 12, 2015, for goods in International class 25;
- the European Union trademark registration No. 017896483, HUNZA G (word), filed on May 8, 2018, and registered on September 6, 2018, for goods in International class 25; and
- the International trademark registration No. 1510122, HUNZA G (word), registered on October 30, 2019, for goods in International class 25.

The Complainant is also the owner of the <hunzag.com> domain name registration under which it maintains its principal website.

At the time of filing of the Complaint, the Domain Names all led to inactive websites, apart from four of them, namely <hunzagua.com>, <hunzag-sweden.com>, <hunzag-fr.shop>, and <hunzag-pl.shop> which led to almost identical websites that mimicked that of the Complainant and eminently displayed the Complainant's trademarks and product images, as well as copyrighted material, while purporting to offer the Complainant's products for sale.

In particular the Domain Names were registered on the following dates:

<hunzagswim.com> June 30, 2023,
<hunzag-belgie.com> May 20, 2024,
<hunzagdenmark.com> May 20, 2024,
<hunzag-dubai.com> May 20, 2024,
<hunzagmadrid.com> May 20, 2024,
<hunzag-mexico.com> May 20, 2024,
<hunzag-nederland.com> May 20, 2024
<hunzagnyc.com> May 20, 2024,
<hunzagoslo.com> May 20, 2024,
<hunzagparis.com> May 20, 2024,
<hunzag-schweiz.com> May 20, 2024,
<hunzagtürkiye.com> May 20, 2024,
<hunzagua.com> May 27, 2024,
<hunzagpoland.com> June 6, 2024,
<hunzag-se.com> September 20, 2024,
<hunzag-sweden.com> September 20, 2024,
<hunzag-pl.shop> September 27, 2024, and
<hunzag-fr.shop> September 29, 2024.

Currently all Domain Names lead to inactive websites, apart from <hunzag-sweden.com>, <hunzag-fr.shop>, <hunzag-pl.shop>, and <hunzag-se.com> which lead to almost identical websites mimicking that of the Complainant, while <hunzagua.com> now leads to a malicious website.

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 Names.

B. Respondents

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

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which the Complainant must satisfy with respect to the Domain Names:

- (i) the Domain Names are 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 respect of the Domain Names; and
- (iii) the Domain Names have been registered and are being used in bad faith.

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 Respondents did not comment on the Complainant's request.

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 Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that all Domain Names apart from <hunzagswim.com>, present the following similarities:

- All of the Domain Names apart from <hunzagswim.com> follow the same naming pattern namely the Complainant's trademark HUNZA/HUNZA G with a geographical indicator.
- All of the Domain Names apart from <hunzagswim.com> were registered within a short period of time from one another and many on the same day.
- All of the Domain Names apart from <hunzagswim.com> present similarities as regards the details for the named Respondents, namely: a) 12 out of 16 named Respondents make use of the "outlook.com" email service; b) save for <hunzagswim.com>, no email address has any correlation to the name of the named Respondents; c) save for the Domain Name <hunzagua.com>, all Respondents make use of addresses in China or Germany; d) the Domain Name <hunzagua.com> resolved to a website very similar to the websites at the Domain Names <hunzag-sweden.com>, <hunzag-fr.shop>, and <hunzag-pl.shop>.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party for all the Domain Names, apart from the Domain Name <hunzagswim.com>.

As regards the Domain Name <hunzagswim.com>, this was registered on June 30, 2023, namely about a year earlier than the other Domain Names, the Domain Name does not follow the same pattern in its composition, namely the Complainant's mark plus a geographical term, and does not lead to any website showing any connection with the other Domain Names. As regards contact details of the named Respondent for this Domain Name, the Complainant points to a difference in pattern in relation to the other Domain Names, as above discussed, i.e., the Respondent's name is reflected in its email address.

Therefore, the Panel decides not to consolidate the Domain Name <hunzagswim.com> in the current proceeding. Accordingly, the proceeding is dismissed regarding the Domain Name <hunzagswim.com>, without prejudice to the filing of a new complaint regarding this Domain Name.

Accordingly, the Panel decides to consolidate the disputes regarding the rest of the nominally different domain name registrants (referred to below as "the Respondent") in a single proceeding for these Domain Names.

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 HUNZA/HUNZA G and the Domain Names. [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 Panel finds the mark HUNZA/HUNZA G is recognizable within the Domain Names. Accordingly, the Domain Names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The generic Top-Level Domains (“gTLDs”) “.com” and “shop” are disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons (*Rexel/Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#), 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 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 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 Domain Names such as those enumerated in the Policy or otherwise.

On the contrary, as the Complainant has demonstrated that at the time of filing of the Complaint, most of the Domain Names were inactive, while some of the Domain Names, i.e., <hunzagua.com>, <hunzag-sweden.com>, <hunzag-fr.shop>, and <hunzag-pl.shop>, resolved to the websites, which featured the Complainant’s trademarks and logos, and displayed the Complainant’s product images, as well as copyrighted material, while purporting to offer the Complainant’s products for sale. A distributor or reseller can be making a bona fide offering of goods and thus have a legitimate interest in a domain name only if the following cumulative requirements are met (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#); [WIPO Overview 3.0](#), section 2.8.1): (i) respondent must actually be offering the goods at issue; (ii) respondent must use the site to sell only the trademarked goods; (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and (iv) respondent must not try to “corner the market” in domain names that reflect the trademark.

These requirements are not cumulatively fulfilled in the present case. Per the Complaint, the Respondent is not an affiliated entity or an authorized distributor or reseller of the Complainant and no agreement, express or otherwise, exists allowing the use of the Complainant’s trademarks on the websites and the use of the Domain Names by the Respondent. Further, the websites at the Domain Names <hunzagua.com>, <hunzag-sweden.com>, <hunzag-fr.shop>, and <hunzag-pl.shop> did not accurately and prominently display any disclaimer of the Respondent’s lack of relationship with the Complainant.

Moreover, the composition of the Domain Names carries a risk of implied affiliation as it may suggest that the websites associated with the Domain Names were the official sites of the Complainant in a particular region, or are operated by an entity affiliated to, or endorsed by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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 3.0](#), section 3.2.1.

The Panel concludes that the Respondent has registered and used the Domain Names in bad faith. Because the HUNZA/HUNZA G mark had been widely used and registered by the Complainant at the time of the Domain Name registrations by the Respondent, and the Respondent used the Complainant's mark on some of the websites at the Domain Names, the Panel finds it that the Respondent had the Complainant's mark in mind when registering the Domain Names.

As regards bad faith use of the Domain Names, the Complainant has demonstrated that some of the Domain Names, i.e., <hunzagua.com>, <hunzag-sweden.com>, <hunzag-fr.shop>, and <hunzag-pl.shop>, were used to create the websites which prominently displayed the Complainant's registered trademarks and logos, as well as product images and copyrighted material, thereby giving the false impression that they are operated by the Complainant, or a company affiliated to the Complainant, or an authorized dealer of the Complainant. These Domain Names operated therefore by intentionally creating a likelihood of confusion with the Complainant's trademark and business as to the source, sponsorship, affiliation, or endorsement of the websites they resolved to, for the Respondent's commercial gain. This can be used in support of bad faith registration and use (*Booking.com BV v. Chen Guo Long*, WIPO Case No. [D2017-0311](#); *Ebel International Limited v. Alan Brashear*, WIPO Case No. [D2017-0001](#); *Walgreen Co. v. Muhammad Azeem / Wang Zheng*, *Nicenic International Group Co., Limited*, WIPO Case No. [D2016-1607](#); *Oculus VR, LLC v. Sean Lin*, WIPO Case No. [DCO2016-0034](#); and [WIPO Overview 3.0](#), section 3.1.4).

Most of the Domain Names were inactive at the time of filing of the Complaint. Panels have also found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of these Domain Names, which include the Complainant's mark in its entirety, and finds that in the circumstances of this case the passive holding of the inactive Domain Names does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of these Domain Names 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 Domain Names <hunzag-belgie.com>, <hunzagdenmark.com>, <hunzag-dubai.com>, <hunzag-fr.shop>, <hunzagmadrid.com>, <hunzag-mexico.com>, <hunzag-nederland.com>, <hunzagnyc.com>, <hunzagoslo.com>, <hunzagparis.com>, <hunzag-pl.shop>, <hunzagpoland.com>, <hunzag-schweiz.com>, <hunzag-se.com>, <hunzag-sweden.com>, <hunzagtürkiye.com> (<xn--hunzagtrkiye-jlb.com>), and <hunzagua.com> be transferred to the Complainant.

and

the proceeding is dismissed regarding the Domain Name <hunzagswim.com>, without prejudice to the filing of a new complaint regarding this Domain Name.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: April 25, 2025