

## **ADMINISTRATIVE PANEL DECISION**

eleven teamsports GmbH v. fgardtetr, twrtt, Icie Lindgren, Rosie Feil  
Case No. D2025-1020

### **1. The Parties**

Complainant is eleven teamsports GmbH, Germany, represented by Harmsen Utescher, Germany.

Respondents are fgardtetr, twrtt and Rosie Feil, United States of America and Icie Lindgren, Germany.

### **2. The Domain Names and Registrars**

The disputed domain name <11teamsportseu.com>, <11teamsportshq.com> and <11teamsport.store> (“Domain Names”) are registered with Dominet (HK) Limited and Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 12, 2025. On March 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On March 14, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint.

The Center sent an email communication to Complainant on March 14, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting Complainant to either file separate complaint(s) for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all Domain Names are under common control. Complainant filed an amended Complaint on March 19, 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 Respondent of the Complaint, and the proceedings commenced on March 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 15, 2025.

The Center appointed Marina Perraki as the sole panelist in this matter on April 22, 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 European retailer specializing in sportswear and equipment, particularly focusing on football (soccer). Complainant owns trademark registrations for “11teamsports”, including the European Union trademark registration No. 018503160, 11teamsports (word), filed on June 29, 2021 and registered on November 4, 2021 for goods and services in international classes 16, 18, 25, 26, 28, 35, 40 and 45 and European Union trademark registration No. 011244266, 11teamsports (logo), filed on October 5, 2012 and registered on May 17, 2013 for goods and services in international classes 18, 25, 28, 35 and 45.

Complainant maintains its main website at “www.11teamsports.com”.

The Domain Names were registered as follows: <11teamsport.store> on February 11, 2025, <11teamsportshq.com> on February 13, 2025 and <11teamsportseu.com> on February 27, 2025.

The Domain Names lead at the time of filing of the Complaint to identical websites mimicking that of Complainant, prominently displaying Complainant’s trademarks, copying the design, layout of Complainant’s website and allegedly advertising and offering identical products as Complainant on its website at “www.11teamsports.com”. Currently they all lead to inactive websites.

#### **5. Parties’ Contentions**

##### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

##### **B. Respondent**

Respondent 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 Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

##### **Consolidation: Multiple Respondents**

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

The underlying registrants did not comment on 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 Complainant's request, the Panel will consider whether (i) the 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:

- the Domain Names lead to identical websites mimicking that of Complainant;
- the Domain Names were registered within a short period of time (February 11, 13 and 27, 2025);
- the Domain Names follow the same pattern, including the trademark of Complainant as a prefix;
- the Domain Names <11teamsport.store> and <11teamsportshq.com> are registered with the same Registrar and share the same name servers.

Furthermore, the underlying registrants' contact details appear to be false. Per Complainant, as regards the registrant contact details for the Domain Name <11teamsport.store>, the contact address and the phone number provided trace to the American car and van rental business "Midnight Sun", located in Anchorage, Alaska, USA. As regards the Domain Name <11teamsportshq.com>, the contact address and the phone number provided trace to the "Casa Romantica Cultural Center and Gardens", located in San Clemente, California, USA. As regards the Domain Name <11teamsportseu.com>, the name, organization, address and contact details provided are made up of unpronounceable variant combinations (e.g., "twrtt", "fgadrtetr", "fgygrtqtr" or "hsahrt"), while the postal code 125645 traces to India rather than to Germany.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

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

### **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.

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 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.

Although the omission of the letter "s" or the addition of the letters "hq" short for "headquarters" or "eu" short for "European Union", as the case may be, may bear on assessment of the second and third elements, the Panel finds that these elements do not prevent a finding of confusing similarity between the Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The generic Top-Level Domains ("gTLD") ".store" and ".com" are also disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons only (see *Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#); *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. [D2002-0122](#)).

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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Names. Respondent has not rebutted 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.

Moreover, the composition of the Domain Names incorporating Complainant’s trademark in its entirety carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 Respondent has registered and used the Domain Names in bad faith. Because Complainant’s mark had been used and registered prior to the Domain Names registrations by Respondent, the Panel finds it more likely than not that Respondent had Complainant’s mark in mind when registering the Domain Names. The Panel also takes into account that the Domain Names incorporate Complainant’s mark in its entirety with minimal additions/omission as the case may be, of the letter “s” or the letters “hq” short for “headquarters” or the letters “eu” short for “European Union”.

The content of the websites where the Domain Names resolved, mimicking the website of Complainant, further supports knowledge of Complainant and its field of activity.

As regards bad faith use, Complainant has demonstrated that the Domain Names were used to resolve to websites, mimicking the website of Complainant, thereby giving the false impression that they were operated by Complainant. The Domain Names operated therefore by intentionally creating a likelihood of confusion with Complainant’s trademark and business as to the source, sponsorship, affiliation or endorsement of the Websites, for commercial gain. This supports the finding of bad faith use ([WIPO Overview 3.0](#), section 3.1.4).

Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Domain Names constitutes bad faith under the Policy.

Furthermore, regarding the current non-use of the Domain Names, panels have 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.

The Panel finds that 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 <11teamsportseu.com>, <11teamsportshq.com>, and <11teamsport.store> be transferred to Complainant.

*/Marina Perraki/*

**Marina Perraki**

Sole Panelist

Date: May 7, 2025