

## **ADMINISTRATIVE PANEL DECISION**

Elite Licensing Company S.A.G.L v. SUNNY PUNNI, S PUNNI GROUP  
Case No. D2025-1057

### **1. The Parties**

Complainant is Elite Licensing Company S.A.G.L, Switzerland, represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is SUNNY PUNNI, S PUNNI GROUP, United Kingdom.

### **2. The Domain Name and Registrar**

The disputed domain name <eliteportfoliomanagement.com> is registered with FastDomain, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 14, 2025. On March 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 14, 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 (Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on March 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 27, 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 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 17, 2025. Respondent sent email communications to the Center on March 22 and 28, 2025 and April 3, 10, 22, and 28, 2025.

The Center appointed Georges Nahitchevansky as the sole panelist in this matter on April 29, 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**

Complainant, Elite Licensing Company, S.A.G.L., is part of the Elite World Group, a fashion talent company. Complainant is the holding company for trademarks owned and used by companies within the Elite World Group. Complainant owns several trademark registrations for the ELITE name and mark including, inter alia, the following: (i) a registration for ELITE in the European Union (No. 005765185) which issued to registration on April 27, 2012; (ii) registrations for ELITE in the United Kingdom (Nos. UK00905765185 and UK00916337925), the earliest of which issued to registration on April 27, 2012; and (iii) International Registrations for ELITE MODEL MANAGEMENT (Nos. 442385 and 663734) which have been extended to multiple jurisdictions, the earliest of which issued to registration on December 6, 1978. Complainant also owns and uses the domain name <elitemodelmanagement.com> for a website regarding Complainant and its services.

Respondent appears to be based in the United Kingdom. Respondent registered the disputed domain name on May 19, 2023. At some point thereafter, Respondent used the disputed domain name for a website offering model management services. On or about December 16, 2024, Complainant's counsel sent a demand letter to Respondent regarding Respondent's use of the names ELITE and ELITE MODELS to offer model management services. In response to the demand letter, Respondent apparently rebranded and began using the domain name <enticemodelmanagement.com>. Respondent, however, retained the disputed domain name. Currently the disputed domain name resolves to a "403 Forbidden" page.

#### **5. Parties' Contentions**

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

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant asserts that it is a worldwide leader of model management having launched the careers of "some of the world's most celebrated icons." Complainant further maintains that it has strong rights in the ELITE name and mark and that its "brand and business has become a prestigious part of the world of arts and culture."

Complainant argues that the disputed domain name is confusingly similar as it fully incorporates the ELITE mark with the non-distinguishing generic words "portfolio management," words that directly relate to the services offered by Complainant under its ELITE mark.

Complainant maintains that Respondent does not have legitimate interests in the disputed domain name as Respondent: (i) is not sponsored or affiliated with Complainant; (ii) is not a licensee of Complainant and has not been given any authorization to use the ELITE mark; and (iii) has not made any legitimate use of the disputed domain name as Respondent used the disputed domain name with a website offering competing model management services and rebranded as soon as Respondent received the demand letter sent by Complainant's representative.

Lastly, Complainant contends that Respondent has registered and used the disputed domain name in bad faith as the disputed domain name was registered well after Complainant made extensive use of its ELITE mark for over fifty years. Complainant further contends that Respondent was likely aware of Complainant given that Respondent's website not only offered competing model management services but copied the

“graphic design, color schemes and images found on Complainant’s website.” Additionally, Complainant argues that Respondent’s bad faith is established by the fact that Respondent rebranded after receiving a demand letter from Complainant’s representative, thus confirming that Respondent had no rights in the ELITE name and mark, but nevertheless retained the disputed domain name.

## **B. Respondent**

Although Respondent did not file a formal response to Complainant’s allegations, Respondent sent multiple emails to the Center as noted in Section 3 above. The gist of Respondent’s communications is that the Complaint is no longer relevant as the disputed domain name is inactive and remains entirely dormant. Respondent notes that it cooperated with Complainant’s demands and rebranded and that it has remained open to an amicable resolution of the matter with Complainant.

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) 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.

### **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.

Complainant has shown rights in its ELITE mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. As the ELITE mark is clearly recognizable in the disputed domain name, the disputed domain name is confusingly similar for purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the words “portfolio management” at the tail of the disputed domain name may bear on the assessment of the second and third elements, the Panel finds the addition of such words does not prevent a finding of confusing similarity between the disputed domain name and the mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 disputed domain name. 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 disputed domain name such as those enumerated in the Policy or otherwise.

Respondent's registration of the disputed domain name is clearly based on the ELITE mark and does not seem coincidental, particularly as Respondent has included the words "portfolio management" at the tail of the disputed domain name which directly relate to the very services offered by Complainant under the ELITE mark. Indeed, beyond the fact that the disputed domain name has been used with a website offering competing services, the disputed domain name as constituted carries a degree of implied affiliation and is likely to be mistakenly seen by consumers as related to Complainant and its model management services. As such, it is hard to see how Respondent could have any rights or legitimate interests in the disputed domain name. [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 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 view of Respondent's actions, its rebranding upon receiving a demand letter from Complainant's representative and failure to thereafter transfer the disputed domain name, it is easy to infer that Respondent's registration and use of the disputed domain name, which is clearly based on Complainant's ELITE mark in relation to competing model management services, has been done opportunistically and in bad faith for the benefit or profit of Respondent. The disputed domain name on its face suggests a connection to Complainant and its services and was registered well after Complainant had established rights in its ELITE mark. Moreover, given that Respondent used the disputed domain name with a website offering competing model management services, and which copied graphic and stylistic aspects of Complainant's website, there can be no doubt that Respondent was fully aware of Complainant and its ELITE name and mark when it registered and used the disputed domain name for Respondent's benefit.

The Panel thus 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 disputed domain name <eliteportfoliomanagement.com> be transferred to Complainant.

*/Georges Nahichevansky/*

**Georges Nahichevansky**

Sole Panelist

Date: May 13, 2025