

## **ADMINISTRATIVE PANEL DECISION**

IPCO Holdings LLP v. Huade Wang  
Case No. D2025-1564

### **1. The Parties**

The Complainant is IPCO Holdings LLP, United Kingdom, represented by Saikrishna & Associates, India.

The Respondent is Huade Wang, China.

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

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

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 17, 2025. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. Also on April 17, 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) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 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 amendment to the Complaint on May 1, 2025.

The Center verified that the Complaint together with the amendment to the 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 May 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Parties of the Respondent’s default on June 10, 2025.

The Center appointed Ingrida Kariņa-Bērziņa as the sole panelist in this matter on June 12, 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.

On June 20, 2025, the Panel issued Procedural Order No. 1, inviting the Complainant, by June 25, 2025, to comment with supporting evidence why the Complainant should be considered as having rights in the SUPERDRY trademark and therefore has standing to file the current case. The Respondent was granted until June 30, 2025, to respond to the Complainant's submission.

The Center did not receive any submission from the Parties. On July 8, 2025, the Panel issued Procedural Order No. 2 in which the Complainant was invited, by July 11, 2025, to provide evidence of the trademark assignment deed between the Complainant and DHK Retail Limited dated November 27, 2023. The Respondent was granted until July 16, 2025, to respond to the Complainant's submissions.

The Complainant provided its response on July 8, 2025, forwarding a response purportedly from June 25, 2025. The Respondent did not provide any response.

#### **4. Factual Background**

The Complainant is a United Kingdom company that, pursuant to a 2023 agreement, is the assignee of the Indian trademark rights related to the SUPERDRY international apparel brand. The Panel independently verified that, according to publicly available information, the Complainant's predecessor in interest, DKH Retail Limited, is recorded as the applicant of trademark registrations asserted by the Complainant and listed in the assignment of deed provided by the Complainant, including the following:

- Indian Trademark No. 1421407 for SUPERDRY (word mark), registered on February 14, 2006 for goods in class 25;
- Indian Trademark No. 2225345 for SUPERDRY (word mark), registered on October 25, 2011 for goods in classes 3, 9, 14, and 16;
- Indian Trademark No. 2839732 for SUPERDRY (device mark), registered on November 7, 2014 for goods in class 28.

The disputed domain name was registered on January 18, 2011. At the time of the Complaint and of this Decision, it resolved to a website featuring pay-per-click ("PPC") links.

The record indicates that the Respondent is located in China. No further information is available about the Respondent.

#### **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.

Notably, the Complainant contends that, pursuant to a 2023 deed of assignment, it is a joint-venture partner in India, Sri Lanka, and Bangladesh of the British-based SUPERDRY apparel brand. Its predecessor in interest first used the SUPERDRY mark in 2003 in the United Kingdom and now operates stores in more than 50 countries, including through franchises. Through extensive use and promotion, the SUPERDRY mark is known internationally for contemporary fashion. The Complainant and its venture partners have registered numerous trademarks and domain names incorporating the SUPERDRY mark. The disputed domain name differs from the SUPERDRY mark only by an additional letter "p".

The Respondent has no rights in the disputed domain name, which redirects to a website featuring PPC links related to men's and women's apparel.

The Complainant requests transfer of the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

- (i) the disputed 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 disputed domain name; and
- (iii) the Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

### **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.

The Complainant has provided evidence to indicate that, based on a deed of assignment, it has acquired 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 SUPERDRY trademark is recognizable within the disputed domain name, which, by adding an additional letter "p" is a deliberate misspelling of the trademark. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

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 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.

The Panel notes the typosquatted composition of the disputed domain name, which consists of the Complainant's SUPERDRY mark with the addition of a second letter "p", which may be readily overlooked by an Internet user. Therefore, the Panel finds that the nature of the disputed domain name appears intended to, and does, unfairly trade on the Complainant's mark.

There is no evidence that the Respondent is commonly known by the disputed domain name, nor that there are any circumstances or activities that would establish the Respondent's rights therein. Rather, the disputed domain name resolves to a website featuring PPC links related to the Complainant's business. Under these circumstances, such use does not represent a bona fide offering of goods or services. [WIPO Overview 3.0](#), section 2.9.

The Panel finds the second element of the Policy has not 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 has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark. The disputed domain name is a deliberate misspelling of the Complainant's SUPERDRY mark and was registered at least five years after the registration of the SUPERDRY mark. Under these circumstances, the Panel finds that the Respondent registered the disputed domain name in bad faith. [WIPO Overview 3.0](#), section 3.1.4.

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 finds that the use of the disputed domain name to resolve to a website featuring PPC links related to the Complainant's business, and reflecting a misspelling of the Complainant's SUPERDRY mark, is an indication of bad faith use of the disputed domain name. [WIPO Overview 3.0](#), section 3.5.

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 <superdry.com> be transferred to the Complainant.

*/Ingrīda Kariņa-Bērziņa/*

**Ingrīda Kariņa-Bērziņa**

Sole Panelist

Date: July 22, 2025