

ADMINISTRATIVE PANEL DECISION

Reworld Media Italia SRL v. Growth Jet Media

Case No. D2025-2056

1. The Parties

Complainant is Reworld Media Italia SRL, Italy, represented by Novagraaf France, France.

Respondent is Growth Jet Media, India.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 23, 2025. On May 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On May 27, 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 (unknown) and contact information in the Complaint. The Center sent an email communication to Complainant on May 28, 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 June 2, 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 June 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 23, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on June 24, 2025.

The Center appointed Harrie R. Samaras as the sole panelist in this matter on July 1, 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 owns certain rights in the GRAZIA Mark and related business, including the weekly women's fashion magazine under that mark which was first published in Italy in 1938. The GRAZIA magazine (the "Magazine") is now printed in 23 countries and it has a digital version that is available on different websites in various countries. The Magazine is also associated with social media (e.g., Instagram) in various countries (including India where Respondent resides), generating millions of views. The Magazine has been marketed and promoted internationally including in India.

Complainant owns various trademark registrations for the GRAZIA Mark (or "the Mark") including: European Union Trade Mark No. 001714146, (registered on October 23, 2001); United States Registration No. 3,145,640 (registered on September 19, 2006); and Indian Registration No. 1406561 (registered on February 22, 2008). Complainant also owns a large portfolio of domain names using "grazia" and "graziamagazine", including <graziamagazine.jp> and <graziachina.com>.

The Domain Name was registered on January 2, 2025. It resolves to a website (the "Website") that is visually similar to Complainant's website, for example it: (1) uses the GRAZIA Mark in the same font as Complainant uses for the Mark and the Mark appears in many of the same places on the Website as the GRAZIA Mark appears on Complainant's website; (2) uses the same or similar topical headings (e.g., relating to news, fashion, beauty) that Complainant uses on its website, in the same font, placement, and capitalization; (3) has the same overall look and feel (e.g., organization of information and magazine covers, use of magazine covers that are made to look like official versions of Complainant's magazine covers); (4) invites the public to subscribe to a newsletter for special offers, notifications and new releases – Complainant also has a newsletter; (5) provides the public with a contact email, which uses the Mark and a geographic indicator; (6) has on the last page under the GRAZIA Mark the text "Grace Publishing Pty. Ltd.", as does Complainant on its website in the same font; (7) features articles of the same ilk as Complainant has on its website with the same presentation of the authors (i.e., name/profile photo) atop of the article; and (8) uses the same photograph as Complainant uses and in the same place – near the invitation to subscribe to a newsletter.

Before commencing this proceeding, Complainant through its counsel contacted the registrar and hosting services providers for the Website to try to contact Respondent to resolve this matter. In this regard, on January 29, 2025, a letter was sent to the Registrar. Complainant received a response on January 30, 2025 stating, among other things, that the Registrar was not able to assist Complainant because of internal policies and ICANN regulations and suggested Complainant pursue this matter directly with the domain name registrant or file a UDRP or court proceeding. On February 13, 2025, Complainant contacted the hosting services provider HETZNER who replied immediately: "We have informed the responsible customer of the report and asked them to look into this, resolve any potential issues, and send us a statement. Please note that we cannot guarantee a personal response, or a particular outcome, but we strive to keep our network clean and appreciate you reaching out about this issue." On February 14, 2025, HETZNER again contacted Complainant and informed it: "We checked the reported site 'graziajapan.com' and it is no longer hosted on our network." "We found out that the hosting services had been transferred upon receipt of our claim to ALEX HOST." On February 19, 2025, Complainant sent a letter to ALEX HOST, but it did not respond. Complainant observed on March 17, 2025 that a new hosting provider appeared on the public database: CLOUDFLARE, Inc.

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 Name.

Notably, Complainant contends that the Domain Name is confusingly similar to the GRAZIA Mark because the Mark is reproduced identically in the Domain Name and adding the term "japan" will be understood as referencing the country and Complainant's website in Japan. Also, the Domain Name copies Complainant's domain name registration strategy which includes the Mark and a geographical extension (examples: grazia.it, grazia.pk, etc.) or the name of the country (examples: graziamaroc.ma, graziachina.com, etc.). Adding "japan" has therefore a low visual, aural, and intellectual incidence and, consequently, this sole difference will not avoid any likelihood of confusion between the Domain Name and Complainant's rights.

Complainant further maintains that Respondent has no rights or legitimate interests in the Domain Name because (1) searches indicate that only Complainant has rights to use the GRAZIA Mark in conjunction with magazines; (2) Complainant has not authorized Respondent to use the Mark for any purpose including to register the Domain Name; (3) Respondent is not Complainant's licensee or partner; and (4) Respondent's use of the Domain Name is not a bona fide offering of goods or services nor is Respondent making a legitimate noncommercial or fair use of the Domain Name without intent for commercial gain or misleadingly to divert consumers.

As proof of bad faith registration of the Domain Name, Complainant first notes that the GRAZIA Mark, the Magazine, and Complainant's domain names were registered, had a reputation, and the services were largely marketed well before the Respondent registered the Domain Name. For example, in India, the GRAZIA magazine was launched in April 2008 and it has an established online presence, with more than 699,000 followers and 25,965 publications on the GRAZIA India Instagram account. Also, GRAZIA India has hosted a number of marketing events which include brand association events, such as the GRAZIA Millennial Awards, GRAZIA Young Fashion Awards and GRAZIA Most Loved Brands. Complainant also points to the copying of its website (as described above) as an indicator of Respondent's bad faith registration of the Domain Name and the change of services providers when Respondent was notified about Claimant's claim.

As evidence of Respondent's bad faith use (e.g., disrupting the business of a competitor and attracting Internet users for commercial gain), Complainant points to Respondent's: (1) use of its well-known GRAZIA Mark with the geographic term "Japan" corresponding to an area in which Complainant could be doing business (e.g., USA, United Kingdom, Italy, France); (2) use of Claimant's domain name registration strategy which includes GRAZIA + name of the country + .com, noting that Complainant is also present in Asia and recently extended its activities to Singapore and Malaysia; (3) timing for registering the Domain Name – it was registered on January 2, 2025, shortly after Complainant obtained the suspension of a previous fraudulent and similar domain name and website <graziaitaly.com>; and (4) lack of rights or legitimate interests coupled with no credible explanation for choosing the Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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 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 Name. Accordingly, the Domain Name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, "Japan", may bear on assessment of the second and third elements, the Panel finds the addition of that term does not prevent a finding of confusing similarity between the Domain Name and the Mark for the 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 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 Domain Name such as those enumerated in the Policy or otherwise.

Furthermore, Respondent's use of the Domain Name in conjunction with the Website (as described above, impersonating Complainant's website) is not a bona fide offering of goods or services nor is Respondent making a legitimate noncommercial or fair use of the Domain Name without intent for commercial gain (i.e., the public can subscribe to a newsletter for "special offers, notifications and new releases") and the similarity of the Website to Complainant's website is likely to misleadingly divert consumers away from Complainant's website.

Panels have held that the use of a domain name, like Respondent is using the Domain Name here, to impersonate a complainant or pass itself off as a complainant, 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.

In the present case, the Panel notes that the GRAZIA Mark has been used since 1938 in conjunction with a women's fashion magazine, that the Magazine is printed in 23 countries and that it is available in a digital version that is available in different countries. The GRAZIA Mark and the Magazine are also well-known through social media in various countries. With regard to India, in particular (where Respondent resides), the GRAZIA magazine was launched in April 2008 and it has an established online presence, with more than 699,000 followers and 25,965 publications on Complainant's India Instagram account. Also, GRAZIA India has hosted a number of marketing events which include brand association events (mentioned above). Thus, on this evidence alone, it is more likely than not that Respondent would have known about Complainant and the Mark before registering the Domain Name. However, the extent to which Respondent has created the Website (as described above) that so closely resembles Complainant's website is clear evidence that Respondent knew of Complainant and the Mark when registering the Domain Name.

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.

Respondent's bad faith use is manifested in the following conduct, Respondent's: (1) use of Complainant's well-known GRAZIA Mark with the geographic term "Japan" corresponding to an area in which Complainant could be doing business in the future (Complainant is present in Asia and recently extended its activities to Singapore and Malaysia); (2) use of Complainant's domain name registration strategy which includes GRAZIA + name of the country + ".com"; (3) lack of rights or legitimate interests in the Domain Name as well as lack of any explanation for choosing the Domain Name; (4) apparent profiting from people who sign up for at least its newsletter; and (5) repeated change of service providers when Respondent was notified about Complainant's claim.

Panels have held that the use of a domain name for the kind of activity involved here, impersonating Complainant and passing off Respondent's goods and services as those of Complainant's, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Domain Name constitutes bad faith under 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 Name <graziajapan.com> be transferred to Complainant.

/Harrie R. Samaras/

Harrie R. Samaras

Sole Panelist

Date: July 8, 2025