

ADMINISTRATIVE PANEL DECISION

Peter Millar LLC v. Zdraira Zdraira
Case No. D2025-2166

1. The Parties

The Complainant is Peter Millar LLC, United States of America (“USA” or “U.S.”), represented by Demys Limited, United Kingdom (“UK”).

The Respondent is Zdraira Zdraira, USA.

2. The Domain Name and Registrar

The disputed domain name <petermillarstore.com> is registered with West263 International Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 3, 2025. On June 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 4, 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 FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 11, 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 amended Complaint on June 13, 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 Respondent of the Complaint, and the proceedings commenced on June 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 11, 2025.

The Center appointed Elizabeth Ann Morgan as the sole panelist in this matter on July 17, 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 – Peter Millar LLC – was founded in 2001 in Raleigh, North Carolina, USA and is USA-based, international luxury apparel business. The Complainant operates over 40 stores and boutiques in the USA, as well as an Internet store from the URL “www.petermillar.com”, which serves the USA market and from which Internet users are redirected to their local regional websites, for example “www.petermillar.co.uk” for the UK and international markets. The Complainant operates several social media profiles, which combined have over 419,000 “followers”.

In 2012 the Complainant was acquired by Richemont SA, Switzerland-based luxury goods holding Company. The Complainant acquired G/FORE, another golf-inspired sportswear and accessories brand, in 2018. In 2022 the Complainant became the Official Outfitter of the United States Golf Association (“USGA”) and supporting partner of the U.S. Open Championship. In 2025 the Complainant became the official apparel partner of The R&A, which together with the USGA governs the sport of golf worldwide.

The Complainant is the proprietor of a large, global portfolio of registered marks relating to the term PETER MILLAR. The Complainant listed five example marks:

Number	Mark	Jurisdiction	Registration date	Int. Class(es)
2881454	PETER MILLAR	USA	September 7, 2004	25
3681277	PETER MILLAR	European Union	July 8, 2005	25 and 35
903681277	PETER MILLAR	UK	July 8, 2025	25 and 35
5728792		USA	April 16, 2019	18 and 25
7244547	PETER MILLAR	USA	December 12, 2023	03, 09, 18, 25, and 28

The Complainant notes that the registration of its earliest mark pre-dates the registration of the disputed domain name by more than 20 years.

The disputed domain name was registered on April 1, 2025. The Complainant observes that the Respondent’s name is “Zdraira Zdraira” and that its location appears to be in the U.S.. In terms of web services, the disputed domain name resolves to a live website displaying the Complainant’s PETER MILLAR trademark and which appears to offer the Complainant’s products for sale at discounted prices. The Respondent’s website features the Complainant’s copyright material, namely logotype, product photographs and marketing images. Furthermore, the Complainant notes that the disputed domain name has look and feel of the Complainant’s official web shop located at the URL “www.petermillar.com”. Additionally, the Complainant notes that the Respondent’s website title and favicon are identical to those found on the Complainant’s website.

The Respondent’s website does not feature a disclaimer that would clarify the lack of relationship between the Respondent, the disputed domain name and the associated website, and the Complainant. The Complainant notes that the Respondent is not a genuine reseller of its products, as the Respondent and the disputed domain name are not part of the Complainant’s distribution network. As such the Complainant’s products sold on the Respondent’s website are counterfeit or at least “parallel import” or “grey market”

goods. The term “parallel import” or “grey market” goods refers to the trade of a commodity, such as the Complainant’s products, through distribution channels that are not authorized by the original manufacturer or trademark proprietor.

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 the disputed domain name is confusingly similar to a trademark in which the Complainant has rights in terms of the Policy. The disputed domain name incorporates the Complainant’s PETER MILLAR marks, omitting the empty space due to technical reasons, with the addition of the dictionary word “store.”. Considering that the Complainant operates its own web store from the URL “www.petermillar.com”, the Complainant contends that the adornment is closely related to it and its activities. The Complainant contends that given the confusing similarity of the disputed domain name to its marks, there is no conceivable use to which the disputed domain name could be put now, or in the future, that would confer any legitimate interest upon the Respondent, particularly since Respondent has no affiliation with the Complainant and is selling counterfeit or at least “parallel import” or “grey market” goods. The Complainant submits that the Respondent is therefore attempting to impersonate the Complainant in bad faith.

B. Respondent

The Respondent did not reply to the 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.

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed 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, “store”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed 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 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.

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.

The Complainant’s PETER MILLAR marks were registered well before the registration of the disputed domain name. The Panel is of the view that the Respondent knew or should have known of the Complainant’s PETER MILLAR mark when registering the disputed domain name. In the present case, the Panel notes the Complainant has a reasonable apprehension that the website associated with the disputed domain name is used in relation to the sale of either counterfeit, “parallel import” or “grey market” goods. Panels have held that the use of a domain name for illegitimate activity as claimed here constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Further as noted above, the Respondent is not a genuine reseller of the Complainant’s PETER MILLAR goods and as such any Complainant’s products offered on the Respondent’s website are outside the Complainant’s quality control systems. The Complainant avers that any such use will tarnish the Complainant’s name and marks and diminish consumers’ trust associated with the PETER MILLAR brand and the quality of products offered by the Complainant. Noting that the website at the disputed domain name bears the same look and feel as the Complainant’s official web shop, the Panel also finds that the Respondent has attempted to impersonate the Complainant for the Respondent’s own financial gain.

The Complainant contends that it is well-established under the Policy that in most circumstances where a 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, this is sufficient to find that the disputed domain name was registered and is being used in bad faith.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name 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 disputed domain name <petermillarstore.com> be transferred to the Complainant.

/Elizabeth Ann Morgan/

Elizabeth Ann Morgan

Sole Panelist

Date: July 25, 2025