

ADMINISTRATIVE PANEL DECISION

Compagnie des Montres Longines, Francillon S.A. v. jessica road
Case No. D2025-2244

1. The Parties

The Complainant is Compagnie des Montres Longines, Francillon S.A., Switzerland, represented by The Swatch Group AG, Switzerland.

The Respondent is jessica road, United States of America.

2. The Domain Name and Registrar

The disputed domain name <lonignes.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 9, 2025. On June 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 11, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 12, 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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 22, 2025.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on July 30, 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 in this administrative proceeding is Compagnie des Montres Longines, Francillon S.A., a fully owned subsidiary company of The Swatch Group Ltd (Exhibit H.1 to the Complaint and Exhibit H.2. to the Complaint), having its principal place of business in Switzerland.

The Complainant, Compagnie des Montres Longines, Francillon S.A., was founded in 1832 by August Agassiz in Saint-Imier, Switzerland. As early as 1867, the Complainant commenced using the name "Longines" by opening its first factory, the Longines factory in Saint-Imier.

In 1867, the Complainant was awarded for its 20A-movement at the Universal Exhibition in Paris, gaining considerable fame. The Complainant began using the designation "Longines" in advertisements as early as 1881. In 1979, the Complainant presented its "Feuille d'Or"-quartz watch with a thickness of under 2mm; at the time, the world's thinnest watch (Exhibit D.3 to the Complaint).

Since its inception, the Complainant has been using its trademarks continually in commerce and has gained both common-law and registered trademark rights. The Complainant registered the trademark LONGINES in 1889 in Switzerland. In 1893, the Complainant filed its trademark under the Madrid Agreement Concerning the International Registration of Marks giving it the extraordinary position of being the holder of the oldest trademark of the Madrid System of International trademarks still in effect (Exhibit D.9 to the Complaint).

The Complainant's innovations and fame have been confirmed by UDRP panels and have been explicitly recognized by WIPO ("Longines is an instructive case study in the successful exploitation of multiple forms of intellectual property – patents for invention, design, trademarks and geographical indications."; Exhibit D.9. to the Complaint).

Today, the Complainant is worldwide known and operates a global network of offline and online boutiques, including in the United States of America, and jurisdictions such as China, Taiwan, Province of China, and Japan.

The Complainant's parent company The Swatch Group Ltd (Exhibit H.1 to the Complaint and Exhibit H.2 to the Complaint) is one of the world's largest watch companies, which employs about 36,000 people in 50 countries and encompasses world-wide famous brands such as HARRY WINSTON, BLANCPAIN, BREGUET, OMEGA, RADO, HAMILTON, MIDO, TISSOT, SWATCH, CERTINA and ETA (Exhibit D.13 to the Complaint).

The LONGINES mark is widely protected through registration and enforcement. The Complainant owns numerous trademarks registrations for LONGINES, including the following:

International registration No.1341298 LONGINES, registered on November 29, 2016, in classes 9, 14 and 35;

Swiss registration No. 311597 LONGINES, registered on October 14,1981, in class 14;

Chinese registration No. 304851 LONGINES, registered on December 10,1987, in class 14.

Copies of the Complainant's abovementioned trademark registrations are provided at Exhibit E to the Complaint.

The disputed domain name was registered on May 9, 2025. The disputed domain name was used to impersonate the Complainant by sending phishing emails to the Complainant's distributors.

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 Respondent is using the disputed domain name in order to impersonate the Complainant and for phishing. Such usage of a domain name can never constitute a fair use under the Policy. See also *Niantic, Inc. v. Privacy service provided by Withheld for Privacy ehf / Redde reddy*, WIPO Case No. D2021- 3801.

Consequently, the Respondent is not making any non-commercial or fair use of the disputed domain name.

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 Panel finds the LONGINES mark is recognizable 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 and 1.9.

The ".com" generic Top-Level Domain is viewed as a standard registration requirement and is generally disregarded under the first element confusing similarity test, as set forth in section 1.11.1 of [WIPO Overview 3.0](#).

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 as applicable to this case: phishing, impersonation/passing off, or other types of fraud 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 Respondent has registered the disputed domain name and is using the disputed domain in bad faith:

In the present dispute, the Respondent is using the disputed domain name to impersonate the Complainant by sending phishing emails to the Complainant’s distributors with the aim to mislead recipients of its emails into changing their banking details with the aim of diverting payments to the Respondent (Exhibit G.1 to G.3. to the Complaint) thereby illegally diverting financial means to the perpetrator.

Panels have categorically held that the use of a domain name for such illegal activity (e.g., phishing, impersonation/passing off, or other types of fraud) constitutes a bad faith registration and use. See [WIPO Overview 3.0](#), section 3.4 and cases cited therein; *Syngenta Participations AG v. Guillaume Texier, Gobain Ltd*, WIPO Case No. [D2017-1147](#); *The Swatch Group AG, Swatch AG v. John Wison*, WIPO Case No. [D2019-3182](#).

Thus, in the present dispute, the Respondent clearly has registered and is using the disputed domain name in bad faith.

The Panel finds that the third element has been established.

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 <lonignes.com> be transferred to the Complainant.

/Miguel B. O’Farrell/

Miguel B. O’Farrell

Sole Panelist

Date: August 13, 2025