

ADMINISTRATIVE PANEL DECISION

Christian Zignone v. Giuseppe Giunta, Giuseppe Giunta
Case No. D2025-2345

1. The Parties

The Complainant is Christian Zignone, Italy, represented by Federica Nuzzo, Italy.

The Respondent is Giuseppe Giunta, Giuseppe Giunta, Italy.

2. The Domain Name and Registrar

The disputed domain name <licenseforall.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 13, 2025. On June 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 16, 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 (Contact Privacy Inc. Customer 0158028931) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 17, 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 the same day.

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 June 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 10, 2025. The Respondent only sent an informal email communication to the Center on July 1, 2025. The Center notified the Parties with the commencement of Panel Appointment Process on July 11, 2025.

The Center appointed Luca Barbero as the sole panelist in this matter on July 16, 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 is the sole proprietor of an Italian software firm trading as LICENSEFORALL, specialized in the sale of new and used digital software licenses for businesses and professionals as well as public and private entities through the website at <licenseforall.it>, registered on November 27, 2014.

The Complainant has provided evidence of ownership of the Italian trademark registration No. 302021000180476 for LICENSEFORALL (semi-figurative mark), filed on October 29, 2021, and registered on February 11, 2022, in classes 9, 35, 42, and 45.

The disputed domain name <licenseforall.com> was registered on May 21, 2020, and is pointed to a website displaying a logo LICENSE FOR ALL on the top of the home page and offering software licenses for sale.

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 identical to the trademark LICENSEFORALL in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the generic Top-Level Domain ("gTLD") ".com".

The Complainant states that the Respondent has no rights or legitimate interests in respect of the disputed domain name since: i) the Respondent is not affiliated with, or authorized by, the Complainant to use its mark in any way; ii) the public WHOIS records show that the registrant is anonymized and there is no evidence that the Respondent is commonly known by the disputed domain name; iii) the disputed domain name appears to be used to sell software licenses, including unauthorized Microsoft Office products, also by sending email communications from an email address based on the disputed domain name (with subdomains as "@office365.licenseforall.com"), which falsely implies an association with Microsoft Corporation or the Complainant; iv) several consumers contacted the Complainant, after discovering the purchased licenses from the Respondent's website were inactive, expired, or never delivered, expressing confusion and requesting support; v) the Respondent offers licenses for high-value software—such as Microsoft Office LTSC 2024, AutoCAD 2025, and Adobe Acrobat—at suspiciously low prices and the Respondent's website lacks legal identifiers such as company name, VAT number, or physical address, circumstances suggesting that the Respondent may have engaged in unauthorized distribution of software licenses and not in a bona fide business operation.

With reference to the circumstances evidencing bad faith, the Complainant indicates that, although the disputed domain name was registered on May 21, 2020, before the Complainant's trademark registration, it was registered after the first use of the Complainant's <licenseforall.it> domain name in 2014 and has been used for the same services.

The Complainant submits that the Complainant's website at <licenseforall.it> was already known in the market at the time of registration of the disputed domain name, and that his website has always been aimed at the same consumers that the Respondent is targeting.

In support of the Complainant's reputation and recognition by consumers, the Complainant submits a copy of user reviews for the website "www.licenseforall.it", dating back to at least 2019 and publicly accessible and collected via an independent review platform (available at "www.recensioni-verificate.com"), which would demonstrate a consistently high level of user satisfaction on the Complainant's services since at least 2019.

The Complainant has also provided financial records showing that all his revenues from 2014 to 2020 were generated exclusively through the website "www.licenseforall.it", and that the Complainant's annual revenue grew steadily from EUR 21,260 in 2014 to over EUR 770,000 by 2020.

The Complainant further states that his consistent commercial activity demonstrates that the Complainant had established a strong online presence and a well-recognized brand long before the Respondent registered the disputed domain name, and that the Respondent sought to exploit the pre-existing reputation of the Complainant's business and brand identity by registering the disputed domain name, identical to the one of the Complainant, and using it to offer competing and misleading services.

The Complainant states that the Respondent's unauthorized use of the name "Licenseforall" and the misleading advertising constitute bad faith use, especially since the disputed domain name was renewed several times after the Complainant's trademark was registered, and demonstrate that the Respondent is using the disputed domain name to intentionally attract users and create confusion with the Complainant's mark, in violation of paragraph 4(b)(iv) of the Policy.

As a further element evidencing bad faith, the Complainant provides Trustpilot reviews for the website at the disputed domain name, including reviews where users describe their experience as fraudulent, with software licenses deactivated or never functioning, and others where users state that they mistakenly believed they were interacting with the Complainant, and concludes that this further demonstrates consumer confusion and reputational harm caused by the Respondent's bad faith actions.

B. Respondent

On July 1, 2025, the Respondent sent an informal email communication to the Center stating that the disputed domain name and the name he is using to identify his business are different from the ones of the Complainant, since he is using the sign LICENSE FOR ALL, including spaces between one word and the other, and his logo in no way resembles that of the Complainant.

The Respondent further submits that the Complainant's trademark is only valid in Italy, whilst his website provides services throughout Europe.

6. Discussion and Findings

According to 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." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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.

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. Indeed, the Complainant has provided evidence of ownership of a valid trademark registration for LICENSEFORALL (figurative mark).

The Panel finds that the textual component of the Complainant's mark, consisting of the denominative element "LICENSEFORALL", is entirely reproduced, and is thus recognizable, in the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. Since design elements are incapable of representation in domain names, these elements can be disregarded for purposes of assessing identity or confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.10.

The addition of the gTLD ".com" does not prevent a finding of confusing similarity under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Therefore, the Panel finds the first element of the Policy has been established by the Complainant.

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 that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not an affiliate or licensee of the Complainant, nor has the Respondent obtained authorization to use the Complainant's trademark or to register the disputed domain name.

Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain names, or that the Respondent might be commonly known by the disputed domain name.

The Panel also finds that the Complainant has demonstrated that, on balance of probabilities, the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

The Panel notes that the disputed domain name was registered by the Respondent after the Complainant started his business in the sale of software licenses under the brand LICENSEFORALL through his domain

name <licenseforall.it>. Such circumstance is confirmed by the documents submitted by the Complainant as well by the historical screenshots for <licenseforall.it> available on the Internet Archive “www.archive.org”.¹

The Panel further notes that both Parties are based in Italy and active in the same sector and that the Respondent’s website has been pointed to a website publishing a logo that, though visually not identical, is phonetically identical to that of the Complainant’s LICENSEFORALL mark and uses the same words, promoting the online sale of virtually identical software download services at lower prices compared to those of the Complainant, whilst failing to include a proper disclaimer of non-affiliation with the Complainant.

The Panel notes that the Respondent’s selection of the disputed domain name, identical to the second level portion of the domain name used by the Complainant to provide his services under the LICENSEFORALL mark, and the use of the disputed domain name in connection with the Respondent’s provision of services in direct competition with the Complainant cannot amount to a mere coincidence. The circumstances of the case suggest that the Respondent was aware of the Complainant and his activity at the time of registration of the disputed domain name and intended to attract Internet users to its website for commercial gain, passing off as the Complainant and/or suggesting an affiliation with him. The Panel finds that such use of the disputed domain name does not amount to a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Panel moreover notes that the term comprising the brand and the disputed domain name bear some suggestive qualities but are not so inherently descriptive or generic so as to point to only one obvious use by the Respondent (sale of software); on the contrary, the use of the disputed domain name for the same services as the Complainant suggest awareness of and an intent to piggyback on the Complainant’s reputation.

Therefore, the Panel finds the second element of the Policy has also 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 finds that, despite the disputed domain name was registered before the Complainant obtained registered rights in the LICENSEFORALL mark in Italy, in light of the prior use of the Complainant’s unregistered mark LICENSEFORALL in connection with the Complainant’s services, consisting in the sale of new and used digital software licenses via the Complainant’s website at <licenseforall.it>, which is specifically targeting Italian users as it is drafted in Italian, and considering the Respondent is based in Italy and provides the same services as the Complainant, the Respondent knew or must have been aware of the Complainant’s brand when he registered the disputed domain name.

Moreover, as indicated above, the fact that the Respondent used the disputed domain name to offer for sale identical products and services to those offered by the Complainant suggests that the Respondent was well aware of the Complainant at the time of registering the disputed domain name and acted in bad faith by creating a false impression of affiliation with the Complainant, in order to attract users looking for the Complainant’s services for financial gain.

In view of the above, the Panel finds that the Respondent’s use of the disputed domain name in connection with the website described above amounts to bad faith under paragraph 4(b)(iv) of the Policy, since the Respondent intentionally attempted to attract Internet users to his website for commercial gain, by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation or

¹Noting the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.

endorsement of the website and the products advertised therein. This is further strengthened by evidence submitted by the Complainant showing actual user confusion.

The Panel also finds that the Respondent's offering of services in direct competition with those of the Complainant is apt to disrupt the Complainant's business, and that the Respondent's failure to provide on his website his full contact information as well as a disclaimer of non-affiliation with the Complainant further demonstrate the Respondent's bad faith.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <licenseforall.com> be transferred to the Complainant.

/Luca Barbero/

Luca Barbero

Sole Panelist

Date: July 30, 2025