

## **ADMINISTRATIVE PANEL DECISION**

Matinkim Inc. v. steve alex  
Case No. D2025-2816

### **1. The Parties**

The Complainant is Matinkim Inc., Republic of Korea, represented by Marq Vision Inc., United States of America (“United States”).

The Respondent is steve alex, United States.

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

The disputed domain name <matin-kim.shop> 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 July 17, 2025. On July 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 18, 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 July 24, 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 July 25, 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 July 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 26, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on September 2, 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 a Korean fashion brand that produces, inter alia, women's apparel, bags, and fashion accessories under the MATIN KIM trademark.

The Complainant is the owner of the following trademark registrations:

- Republic of Korea Trademark Registration No. 4021706830000 for the word mark MATIN KIM, filed on March 29, 2023 and registered on March 19, 2024, in class 35;
- Australia Trademark Registration No. 2454219 for the word mark MATIN KIM, registered on September 25, 2023, in classes 18, 25 and 35; and
- International Trademark Registration No. 1791432 for the word and device mark MATIN KIM, registered on September 25, 2023, in classes 18, 25 and 35.

The disputed domain name was registered on October 14, 2024. At the time of filing the Complaint, the disputed domain name resolved to a website without substantive content and presently resolves to a Registrar parked webpage.

#### 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 asserts to be a renowned fashion brand which has earned substantial recognition and acclaim for its modern, minimalist designs and high-quality products. According to the Complainant, its MATIN KIM trademark is inherently distinctive, enjoying wide consumer recognition, and carries no common or generic meaning.

Also, according to the Complainant, the disputed domain name is confusingly similar to the Complainant's trademark, containing the MATIN KIM trademark in its entirety, simply adding a hyphen, what does nothing to alleviate the confusing similarity between the disputed domain name and the Complainant's trademark.

Furthermore, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name given that:

- (i) the Complainant has never licensed or otherwise authorized the Respondent to use its trademarks or to register any domain name incorporating the Complainant's trademark;
- (ii) the Respondent is not commonly known by the disputed domain name, has no relationship with the Complainant, and holds no prior rights or legitimate interests that would justify the use of the Complainant's well-known trademarks and domain names; and
- (iii) the Respondent's use of the disputed domain name appears to impersonate the Complainant and does not constitute a bona fide offering of goods or services.

Moreover, the Complainant points out that given the renowned and distinctive nature of the Complainant's MATIN KIM trademark, along with the brand's prominence and detailed presentation on the Complainant's official website, it is evident that the Respondent must have been aware of the Complainant and its trademark at the time of registration of the disputed domain name. In addition to that, the Complainant argues that the disputed domain name wholly incorporates the Complainant's distinctive MATIN KIM trademark, in which the Respondent has no rights or legitimate interests, there being no plausible legitimate reason for the Respondent's registration, its concealment of identity through privacy services, and the absence of evidence of bona fide use, being it reasonable to conclude that the disputed domain name was

registered and is being held in bad faith, with the likely intent of exploiting the Complainant's goodwill at a later stage.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy sets forth the following three requirements which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

- (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 disputed domain name has been registered and is being used in bad faith.

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

### **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 a hyphen may bear on assessment of the second and third elements, the Panel finds that such addition 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.

The Respondent, in not formally responding to the Complaint, has failed to invoke any of the circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights to or legitimate interests in the disputed domain name. This entitles the Panel to draw any such inferences from such default as it considers appropriate pursuant to paragraph 14(b) of the Rules. Nevertheless, the burden of proof is still on the Complainant to make a prima facie case against the Respondent.

In that sense, and according to the evidence submitted, the Complainant has made a prima facie case against the Respondent that the Respondent has not been commonly known by the disputed domain name, and neither there is any relationship between the Complainant and the Respondent.

Also, the absence of any indication that the Respondent has rights in a term corresponding to the disputed domain name, or any possible link between the Respondent and the Complainant that could be inferred from the details known of the Respondent or the webpage relating to the disputed domain name, corroborate with the Panel's finding of the absence of rights or legitimate interests.

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 registration and use of the disputed domain name in bad faith are further corroborated in the present case in view of the following circumstances:

- (i) the composition of the disputed domain name consisting of the reproduction of the Complainant's trademark with the addition of a hyphen;
- ii) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain names;
- iii) the present inactive use of the disputed domain name ([WIPO Overview 3.0](#), section 3.3);
- iv) the selection of a privacy protection service so as to conceal the Respondent's identity; and
- v) the indication of what appears to be false contact details by the Respondent, not having been able to deliver the Written Notice to it.

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 <matin-kim.shop> be transferred to the Complainant.

*/Wilson Pinheiro Jabur/*

**Wilson Pinheiro Jabur**

Sole Panelist

Date: September 8, 2025