

## **ADMINISTRATIVE PANEL DECISION**

Lancaster SARL v. NASSIM EL MASAUDI and Henda Achour, Lancaster |  
Maroquinerie Parisienne | Site Officiel France  
Case No. D2025-2980

### **1. The Parties**

The Complainant is Lancaster SARL, France, represented by Hogan Lovells (Paris) LLP, France.

The Respondents are NASSIM EL MASAUDI, France, and Henda Achour, Lancaster | Maroquinerie Parisienne | Site Officiel France, France.

### **2. The Domain Names and Registrars**

The disputed domain name <lancaster-officiel.store> is registered with NameCheap, Inc. (the “Registrar”).

The disputed domain names <lancaster-outlets.shop> and <lancasteroutlet.store> are registered with Hosting Operations, UAB (the “Registrar”).

The disputed domain name <lancaster-paris.store> 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 July 25, 2025. On July 28, 2025, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On July 28, July 29, and July 31, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Redacted for Privacy, Privacy Service provided by Withheld for Privacy ehf; Domain Admin, Privacy Protect, LLC (PrivacyProtect.org); Contact Privacy Inc. Customer 0175008475) and contact information in the Complaint.

The Center sent an email communication to the Complainant on July 31, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all the disputed domain names are under common control. The Complainant filed an amended Complaint on August 6, 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 Respondents of the Complaint, and the proceedings commenced on August 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on August 29, 2025.

The Center appointed Louis-Bernard Buchman as the sole panelist in this matter on September 4, 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 French company, founded in the last decade of the 20th century, which designs and markets fashion and travel goods and accessories made of leather in France and internationally, with a catalogue of over 750 products per season. It operates over 10 retail boutiques, as well as corners in large department stores, and has more than 1,000 resellers throughout Europe and Asia. The Complainant has furthered its international development with openings in the United States of America and also sells its goods online.

The Complainant owns inter alia the International trademark LANCASTER, registered under No. 490672C on February 4, 1985, and the Canadian trademark LANCASTER, registered under No. TMA618538 on September 2, 2004 (together hereinafter referred to as: “the Mark”).

The Complainant is the registrant of the domain name <lancaster.com>, which directs to its official website.

The disputed domain name <lancaster-outlets.shop> was registered on April 26, 2025, the disputed domain name <lancasteroutlet.store> was registered on May 13, 2025, the disputed domain name <lancaster-officiel.store> was registered on May 19, 2025, and the disputed domain name <lancaster-paris.store> was registered on May 20, 2025.

The Complainant has submitted evidence that the disputed domain names previously resolved to copycat websites that are very similar to its official website. At the time of filing of the Complaint and of this decision, the disputed domain names did not resolve to any active website.

#### **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 names.

Notably, the Complainant contends that:

- (i) the disputed domain names reproduce the Mark, in which the Complainant has rights, and are confusingly similar to the Mark insofar as the disputed domain names contain the Mark in its entirety, which remains recognizable in the disputed domain names;

(ii) it never authorized the Respondents to use the Mark in any manner and it never had any affiliation with the Respondents, who have no rights or legitimate interests in respect of the disputed domain names;

(iii) the Respondents have registered and are using the disputed domain names in bad faith; in particular, the Respondents had knowledge of the Mark when registering the disputed domain names, and by fraudulently creating confusion with the Mark, the Respondents are using the disputed domain names in bad faith.

The Complainant requests that the disputed domain names be transferred to the Complainant.

## **B. Respondents**

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

## **6. Discussion and Findings**

### **6.1. Procedural Aspects**

#### **A. Request for Consolidation – Multiple Respondents**

The Complaint was filed in relation to nominally different domain names registrants. The Complainant alleges that the disputed domain name registrants are the same entity, or that the disputed domain names are under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that:

- two of the disputed domain names are registered by one of the Respondents with the same Registrar; the other two disputed domain names are registered by the other Respondent;
- all disputed domain names were registered within less than one month of each other;
- the details of the underlying registrants of the disputed domain names, as disclosed by the Registrars, all show street addresses in France;
- the disputed domain names previously resolved to very similar websites in French passing off as the Complainant's official website, featuring the Mark and offering for sale goods bearing the Mark;
- all disputed domain names share the same structure, being composed of the Mark followed by an additional element and either the generic Top-Level Domain ("gTLD") ".store" or ".shop".

The combination of the above circumstances indicate that the disputed domain names are most likely subject to common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain names registrants (referred to below as “the Respondent”) in a single proceeding.

## **B. Failure to Respond**

Under the Rules, paragraphs 5(f) and 14(a), the effect of a failure to submit a formal response by the Respondent is that, in the absence of exceptional circumstances, the Panel shall proceed to a decision on the basis of the Complaint.

Under paragraph 4(a) of the Policy, it is the Complainant’s burden to establish that all three of the required criteria for a transfer of the disputed domain names have been met, even in the absence of a formal response.

Under paragraph 14(b) of the Rules, the Panel is empowered to draw such inferences from the Respondent’s failure to file a formal response as it considers appropriate under the circumstances.

In this case, the Panel finds that the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant.

In particular, by failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in paragraph 4(c) of the Policy or otherwise, from which the Panel might conclude that the Respondent has any rights or legitimate interests in the disputed domain names, such as making legitimate noncommercial or fair use of the disputed domain names.

Moreover, as discussed below, the Respondent has failed to provide any exculpatory information or reasoning that might have led the Panel to question the Complainant’s arguments that the Respondent has acted in bad faith.

## **6.2. Three Elements under Paragraph 4(a) of the Policy**

### **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 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 notes that, as aforesaid, the Respondent did not rebut these assertions and finds that despite the addition of the elements “-officiel”, “-outlets”, “outlet” or “-paris”, the Mark is recognizable within the disputed domain names.

Although these additions may bear on the assessment of the second and third elements, the Panel finds that such differences do not prevent a finding of confusing similarity between the disputed domain names and the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Accordingly, the disputed domain names are confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Regarding the gTLD “.store” or “.shop” respectively in the disputed domain names, it is well established that a gTLD does not generally affect the assessment for the purpose of determining identity or confusing similarity. [WIPO Overview 3.0](#), section 1.11.1.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Moreover, prior UDRP panels have held that the use of a domain name for illegal activity, such as impersonation, passing off, or other types of fraud, can never confer rights or legitimate interests in on a respondent; see [WIPO Overview 3.0](#), section 2.13.

The Complainant has provided evidence showing that Internet users who purchased what they perceived to be the Complainant’s goods from the website at the disputed domain name <lancastr-outlets.shop> and had their bank accounts debited but never received the goods.

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 finds that the Respondent’s decision to register the disputed domain names, confusingly similar to the Mark, reflects the Respondent’s specific targeting of the Mark and the Respondent’s clear intent to capitalize on the Complainant’s rights, demonstrated by the Respondent’s attempt to attract Internet users, for commercial gain, by previously using the disputed domain names to resolve to websites very similar to that of the Complainant and by luring unsuspecting Internet users into making payments for orders of what seem to be the Complainant’s products. Such conduct falls squarely into bad faith pursuant to paragraph 4(b)(iv) of the Policy.

The current non-use of the disputed domain names does not change the Panel’s finding of the Respondent’s bad faith in this case.

Furthermore, some UDRP panels have held that in certain circumstances, registrants of domain names have a duty to abstain from registering and using a domain name, which is either identical or confusingly similar to a prior trademark held by others and which would infringe upon or otherwise violate the rights of a third party. See Policy, paragraph 2(b); *Nike, Inc. v. B. B. de Boer*, WIPO Case No. [D2000-1397](#); *Nuplex Industries Limited v. Nuplex*, WIPO Case No. [D2007-0078](#); *Mobile Communication Service Inc. v. WebReg, RN*, WIPO Case No. [D2005-1304](#); *BOUYGUES v. Chengzhang, Lu Ciagao*, WIPO Case No. [D2007-1325](#); *Media General Communications, Inc. v. Rarenames, WebReg*, WIPO Case No. [D2006-0964](#); and *mVisible Technologies, Inc. v. Navigation Catalyst Systems, Inc.*, WIPO Case No. [D2007-1141](#).

As a consequence, the Panel finds that the registration and use of the disputed domain names by the Respondent 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 names <lancaſter-officiel.store>, <lancaſter-outlets.shop>, <lancaſteroutlet.store>, and <lancaſter-paris.store> be transferred to the Complainant.

*/Louis-Bernard Buchman/*

**Louis-Bernard Buchman**

Sole Panelist

Date: September 12, 2025