

ADMINISTRATIVE PANEL DECISION

Benda Bili v. 任伟 (ren wei), 许春幼 (xu chunyou), 黄浩 (huang hao)
Case No. D2025-3156

1. The Parties

The Complainant is Benda Bili, France, represented by Nameshield, France.

The Respondents are 任伟 (ren wei), China; 许春幼 (xu chunyou), China; and 黄浩 (huang hao), China.

2. The Domain Names and Registrar

The disputed domain names <sezane-outlets.com>, <sezanesaleshop.com>, <sezaneshop-eu.com>, <sezaneshops-eu.com> and <sezanesstores-eu.com> are registered with Xin Net Technology Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 7, 2025. On August 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 8, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (NOT IDENTIFIED) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 20, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) 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 disputed domain names are under common control. The Complainant filed an amended Complaint in English on August 21, 2025.

On August 20, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreements for the disputed domain names is Chinese. On August 21, 2025, the Complainant requested English to be the language of the proceeding. The Respondents did not submit any comment on the Complainant’s submission.

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 in English and Chinese of the Complaint, and the proceedings commenced on August 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 10, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on September 12, 2025.

The Center appointed Rachel Tan as the sole panelist in this matter on September 24, 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 company specialized in ready-to-wear collections and accessories and trading under its commercial name and trade mark SÉZANE. The term "Sézane" is a contraction of the first name and last name of the Complainant's founder and President Morgane Sézalory. SÉZANE branded clothing and accessories are available through its online shop.

The Complainant is the owner of the SÉZANE mark, including International Trade Mark Registration No. 1170876, registered on June 3, 2013, in classes 14, 18, and 25, designating among others China (referred to hereinafter as "the SEZANE mark").

The Complainant is the registrant of domain names incorporating the SEZANE mark, for example <sezane.com> registered on April 3, 2003.

The disputed domain names were all registered between June 17 and July 18, 2025. The Complainant submitted evidence that the disputed domain names all previously resolved to websites impersonating the Complainant by using the Complainant's trade mark and product images and purportedly offering for sale the Complainant's products at reduced prices. All of the websites featured a virtually identical layout. The Panel notes that as of the date of this Decision, the disputed domain names <sezane-outlets.com> and <sezaneshop-eu.com> resolve to inactive webpages. The remaining three disputed domain names resolve to very similar webpages purporting to sell the Complainant's products.

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 the disputed domain names are confusingly similar to the Complainant's SEZANE mark. Each of the disputed domain names includes in its entirety the Complainant's mark. The addition of terms such as "outlets", "shop(s)", "sale", "stores" and/or "eu" is not sufficient to escape the finding that the disputed domain names are confusingly similar to the SEZANE mark. Further, the addition of the generic Top-Level Domain ("gTLD") ".com" does not change the overall impression of the designations as being connected to the Complainant's mark.

The Complainant further alleges that the Respondents have no rights or legitimate interests in respect of the disputed domain names. Each of the Respondents is not commonly known by the disputed domain names. They are not affiliated with nor authorised by the Complainant in any way. Further, the Complainant submitted evidence and alleged that the disputed domain names were previously operated as a website to impersonate the Complainant. Accordingly, the Respondents are not making a legitimate noncommercial or fair use of the disputed domain names.

Finally, the Complainant argues that the disputed domain names were registered and are being used in bad faith. Given the distinctiveness of the Complainant's SEZANE trade mark and its reputation, it is reasonable to infer that the Respondents have registered and used the disputed domain names with full knowledge of the Complainant's mark. By using the disputed domain names to impersonate the Complainant, the Respondents have intentionally attempted to attract, for commercial gain, Internet users to their websites or other online locations, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondents' websites.

B. Respondents

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

6. Discussion and Findings

6.1 Preliminary Issues

A. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or 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:

- i. Each of the disputed domain names was registered via the same Registrar and was registered within a short time span, namely between June and July 2025;
- ii. The disputed domain names resolve or have previously resolved to virtually identical websites, each of which appears to mimic an official website of the Complainant;
- iii. The composition of the disputed domain names shares the similarity as each disputed domain name incorporates the Complainant's SEZANE mark in entirety with a geographic and/or a descriptive term;
- iv. The disputed domain name registrants have been given the opportunity to reply to the Complainant's contentions, including the consolidation request, but opted not to do so;
- v. The disputed domain name registrants appear to have used incomplete or inaccurate contact information when registering the disputed domain names, as the courier was unable to deliver the Written Notice to the various addresses provided for the disputed domain name registrants.

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 name registrants (referred to below as "the Respondent") in a single proceeding.

B. Language of the Proceeding

The language of the Registration Agreements for the disputed domain names is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that (i) English language is the language most widely used in international relations and one of the working languages of the Center; (ii) the disputed domain names are formed by words in Roman characters and associated with English terms as “outlets”, “sale”, “shop(s)”, “stores”; (iii) the Center also informed the Respondent in Chinese and afforded the Respondent the opportunity to respond in Chinese; and (iv) the Complainant would have had to retain specialised translation services at a cost very likely to be higher than the overall costs of the proceedings in order to proceed in Chinese.

The Respondent did not make any submissions with respect to the language of the proceeding.

The Panel also notes that the disputed domain names resolve to websites in English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. [WIPO Overview 3.0](#), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

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 trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognisable within the disputed domain names. Accordingly, the disputed domain names are 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, i.e. the “outlets”, “sale”, “shop(s)”, “sstores” and “eu”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does 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.

Lastly, it is permissible for the Panel to disregard the applicable gTLD in the disputed domain names, i.e., “.com”. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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 have 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.

The Respondent has not provided evidence of a legitimate noncommercial or fair use of the disputed domain names or reasons to justify its choice of the disputed domain names that are confusingly similar to the Complainant’s SEZANE mark. Further, there is no indication to show that the Respondent is commonly known by the disputed domain names or otherwise have rights or legitimate interests in any of them. In addition, the Complainant has not granted the Respondent a license or authorisation to use the Complainant’s SEZANE mark or register the disputed domain names.

Based on the undisputed submission and evidence provided by the Complainant, each of the disputed domain names previously resolved or currently still resolves to a website which allegedly attempts to impersonate the Complainant, purportedly offer the Complainant’s products at reduced prices and display the Complainant’s SEZANE mark. The websites do not accurately and prominently disclose a lack of a relationship between the Complainant and the Respondent. Therefore, the facts do not support a claim of a bona fide offering of goods or services under the “Ok! Data test”. See *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

Furthermore, the nature of the disputed domain names, comprising the Complainant’s SEZANE mark with the addition of terms such as “outlets”, “sales”, “shop(s)”, “s” and “stores” or the geographical term “eu”, carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Based on the available record, 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 Complainant’s SEZANE mark was registered well before the registration of the disputed domain names. Through use and advertising, the Complainant’s SEZANE mark is known throughout the world, including in China. Search results using the term “sezane” on the Internet search engines direct Internet users to the Complainant and its products, which indicates that an exclusive connection between the SEZANE mark and the Complainant has been established. [WIPO Overview 3.0](#), section 4.8. As such, the Respondent should have known of the Complainant’s SEZANE mark when registering the disputed domain names. This fact has been reinforced by the Respondent’s use of the SEZANE mark on the websites at the disputed domain names.

Furthermore, the Panel considers the mere registration of a domain name that is confusingly similar to a well-known trademark by an unaffiliated person can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Panel notes that the disputed domain names previously resolved to virtually identical websites purportedly offering SEZANE products and displayed the Complainant's SEZANE marks. The lack of a disclaimer that the Respondent is not affiliated with the Complainant is noticeably absent. The Panel is satisfied that the Respondent intentionally created a likelihood of confusion with the Complainant's SEZANE mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites for its own commercial gain. This demonstrates bad faith registration and use of the disputed domain names, as provided in paragraph 4(b)(iv) of the Policy.

In respect of the current non-use of the disputed domain names <sezane-outlets.com> and <sezaneshop-eu.com>, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's mark, and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of these disputed domain names does not prevent a finding of bad faith under the Policy.

Given all the circumstances of the case, the Panel finds that the Respondent must have known of the Complainant before registering the disputed domain names, and considering the Respondent's lack of rights or legitimate interests, and by registering and using the disputed domain names as discussed above as well as continuing to hold the disputed domain names, the Panel is led to conclude that the disputed domain names were registered and are being used in bad faith.

Based on the available record, 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 <sezane-outlets.com>, <sezanesaleshop.com>, <sezaneshop-eu.com>, <sezaneshops-eu.com>, and <sezanesstores-eu.com> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: October 8, 2025