

ADMINISTRATIVE PANEL DECISION

Fendi S.r.l. v. U SDT
Case No. D2025-3417

1. The Parties

The Complainant is Fendi S.r.l., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is U SDT, United States of America ("United States").

2. The Domain Names and Registrar

The disputed domain names <fendimall.com>, <fendimall.org> and <fendimall.vip> are registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 25, 2025. On August 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 27, 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 (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 29, 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 September 1, 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 September 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 2, 2025.

The Center appointed Roger Staub as the sole panelist in this matter on October 9, 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 Italian fashion house Fendi S.r.l., which is part of the luxury group LVMH. Its origin dates back 100 years. Nowadays, FENDI is an internationally well-known fashion brand. FENDI products are commercialized in many countries with more than 270 stores in different locations worldwide, including in the United States, where the Respondent is located. The Complainant's principal website dedicated to the promotion of the FENDI brand and products is reachable via the domain name <fendi.com>. The website is also used by the Complainant to offer for sale FENDI products online.

The Complainant owns various trademark registrations consisting of, or containing, the term "fendi" in various jurisdictions. The Complainant's portfolio of FENDI trademark registrations includes, inter alia, the following trademark registrations:

- International trademark No. 426761 FENDI, registered on December 1, 1976, in Classes 3, 18, 24 and 25, covering, inter alia, Germany, Spain and France;
- European Union trademark No. 003500535 FENDI, registered on May 27, 2005, in Classes 3, 9, 14, 18 and 25; and
- United States trademark No. 1244466 FENDI, registered on July 5, 1983, in Classes 18, 24 and 25.

The disputed domain names were registered on May 25, 2025.

Initially, the disputed domain names resolved to active websites. The websites showed the Complainant's FENDI trademarks and promoted investment services. Thereafter, the disputed domain names redirected to the website <segwayai.vip>, which contained the trademark SEGWAY owned by a third-party. At the time of the filing of the Complaint, the disputed domain names redirected to the same website, which was inactive.

On July 14, 2025, the Complainant's representative sent a cease-and-desist letter to the Respondent. The Respondent failed to provide a response.

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.

First, the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The disputed domain names incorporate the whole of the Complainant's FENDI trademark. The mere addition of the generic term "mall" does not affect the confusing similarity. The term "mall" is not a distinguishing feature and may be apt to increase confusion as it is descriptive of a location where consumers can shop for branded items.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent is not a licensee or authorized agent of the Complainant, nor is it in any other way authorized to use the Complainant's trademark FENDI. The Complainant is not in possession of, nor aware of, the existence of any evidence demonstrating that the Respondent might be commonly known by a name corresponding to the disputed domain names as an individual, business, or other organization. This is

further supported by the use of a shield company. The Respondent has not provided the Complainant with any evidence of use of, or of demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services. It seems that the websites, to which the disputed domain names had redirected, proposed a Ponzi-like scam investment scheme where users were requested to invest money on the promise of advertised returns. This, and the subsequent redirection of the disputed domain names to a webpage with a third-party registered trademark, cannot amount to a bona fide offering.

Third, the disputed domain names were registered and are being used in bad faith by the Respondent. Since the trademark FENDI is well-known worldwide and has been used for 100 years, the Respondent was undoubtedly aware of the existence of the Complainant's trademark when it registered the disputed domain names. This is clearly demonstrated by the fact that the Respondent published the FENDI trademark on its websites, where it was promoting fraudulent investment services, without displaying a disclaimer of non-affiliation with the Complainant. The subsequent redirection of the disputed domain names to a webpage with a third party's registered trademark, where Internet users are requested to provide their e-mail address and password to access the website, shows that the use of the disputed domain names was for the purpose of defrauding Internet users by the operation of phishing schemes. A further circumstance evidencing the Respondent's bad faith is the fact that the Respondent failed to respond to the Complainant's cease-and-desist letter.

B. Respondent

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

6. Discussion and Findings

According to the Policy, to qualify for a cancellation or transfer, the Complainant must prove each of the following:

First, the disputed domain names are identical or confusingly similar to a trademark or service mark to which the Complainant has rights.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain names.

Third, the disputed domain names have been registered and are being used in bad faith.

Since the Respondent did not submit a reply, the Panel may choose to accept the reasonable contentions of the Complainant as true. This Panel will determine whether those facts constitute a violation of the Policy that is sufficient to order the transfer of the disputed domain names (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#)).

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 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: “mall”) may bear on the assessment of the second and third elements, the Panel finds the addition of such term 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.

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.

The disputed domain names initially resolved to websites using the Complainant’s FENDI logo and promoting investment services. It seems that the websites proposed an investment scheme where users were requested to invest money on the promise of advertised returns. Panels have held that the use of a domain name for illegal activity (here, claimed: fraudulent financial investment/Ponzi-like scam investment scheme) 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 disputed domain names completely incorporate the Complainant’s internationally well-known trademark FENDI, which has a certain reputation. The Respondent must have been aware of this trademark, when it registered the disputed domain names. The addition of the descriptive term “mall” suggests that Internet users can purchase online FENDI products or services via the websites, to which the disputed domain names resolve. This impression was further supported by the fact that the websites prominently displayed the original FENDI logo of the Complainant. This suggests to consumers that the disputed domain names are part of the Complainant’s portfolio of Internet addresses. This creates a likelihood of confusion. There are no plausible indications for a possible good faith use of the disputed domain names by the Respondent. The Respondent failed to submit a response and, thus, any evidence of an actual or contemplated good faith use.

The same applies to the changes, which the Respondent had made at some point on time. The fact that the website, to which the disputed domain names redirected after the implementation of the changes, contained a third-party logo and asked Internet users to provide their e-mail address and password to access the page, is a clear indication that the disputed domain names were registered and being used for fraudulent purposes.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity (here, claimed: fraudulent financial investment/Ponzi-like scheme) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

The fact that the disputed domain names redirect to inactive websites does not change the finding of bad faith. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, and the composition of the disputed domain names and finds that in the circumstances of this case the current passive holding of the disputed domain names does not prevent a finding of 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 <fendimall.com>, <fendimall.org> and <fendimall.vip> be transferred to the Complainant.

/Roger Staub/

Roger Staub

Sole Panelist

Date: October 23, 2025