

ADMINISTRATIVE PANEL DECISION

Kind Patches Limited v. Mucahit Kalkan

Case No. D2025-3467

1. The Parties

Complainant is Kind Patches Limited, United Kingdom, represented by Abrande AB, Sweden.

Respondent is Mucahit Kalkan, Türkiye.

2. The Domain Names and Registrar

The disputed domain names <kindpatchesofficial.co>, <kindpatchesofficial.com>, and <kindpatchesplus.com> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 27, 2025. On August 27, 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 and contact information in the Complaint (REDACTED FOR PRIVACY / Registration Private, Domains By Proxy, LLC).

The Center sent an email communication to Complainant on August 28, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting 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 domain names are under common control. Complainant filed an amended Complaint on September 2, 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 Respondent of the Complaint, and the proceedings commenced on September 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 23, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 26, 2025.

The Center appointed Gabriel F. Leonardos as the sole panelist in this matter on October 7, 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

Complainant is a company based in the United Kingdom that develops and sells health and wellness products under its trademark KIND PATCHES. Complainant has a substantial customer base, being available in seven countries and selling millions of units globally.

Complainant owns the domain name <kindpatches.com> and several trademark registrations for KIND PATCHES, as in the examples below:

Registration Number	Trademark	Jurisdiction	International Class	Registration Date
018985551		European Union	3, 5	June 11, 2024
UK00004014593		United Kingdom	3, 5	May 10, 2024
302024206590	Kind Patches	Germany	3, 5	April 19, 2024

The disputed domain names <kindpatchesplus.com>, <kindpatchesofficial.com>, and <kindpatchesofficial.co> were created on July 29, 2025, August 4, 2025, and August 12, 2025, respectively. All disputed domain names were used as part of a scheme designed to mislead consumers by impersonating Complainant's business, all with the use of the trademark KIND PATCHES.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, Complainant contends that the disputed domain names capture in their entirety the distinctive element KIND PATCHES and that the addition of generic terms such as "official" and "plus" does not change the overall impression but only reinforces the association with Complainant, as well as the generic Top-Level Domain ("gTLD") ".com" and country code Top-Level Domains ("ccTLD") ".co" are standard registration requirements and are disregarded in assessing confusing similarity.

Therefore, according to Complainant, the disputed domain names are confusingly similar to Complainant's trademark KIND PATCHES and owned domain name, fulfilling paragraph 4(a)(i) of the Policy.

Complainant affirms that it has not licensed or authorized Respondent to use the KIND PATCHES trademark. Furthermore, Complainant contends that Respondent is not commonly known by KIND PATCHES and has copied Complainant's distinctive elements such as logos, images, and marketing materials, and has been selling products under Complainant's mark without its authorization.

In this manner, Complainant states that Respondent lacks rights or legitimate interests, fulfilling paragraph 4(a)(ii) of the Policy.

Finally, Complainant claims that the disputed domain names were registered and are being used in bad faith. According to Complainant, (i) Respondent registered and used the disputed domain names to profit through confusion, since the sites were designed to impersonate Complainant; (ii) Respondent registered the three disputed domain names with variations of the KIND PATCHES mark, consistent with a pattern of bad faith; (iii) Respondent risks tarnishing Complainant's brand reputation by offering counterfeit or unauthorized products; (iv) Respondent knew of Complainant's marks and intended to exploit its goodwill; and (v) Respondent's concealment of identity and marketing of counterfeit or unauthorized products supports the finding of bad faith.

Thus, according to Complainant, the requirements for the finding of a bad faith registration and use of the disputed domain names have been fulfilled, pursuant to paragraphs 4(a)(iii) and 4(b) of the Policy and, accordingly, requests the disputed domain names be transferred to Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To succeed in a UDRP complaint, Complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as following:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The burden of proving these elements is upon Complainant.

Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the Complaint, in the absence of exceptional circumstances, the Panel's decision shall be based upon the Complaint.

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 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.

Based on the available record, the Panel finds 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 trademark KIND PATCHES is being reproduced within the disputed domain names. Accordingly, the disputed domain names <kindpatchesplus.com>, <kindpatchesofficial.com>, and <kindpatchesofficial.co> are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the terms “official” and “plus” may bear on assessment under the second and third elements, the Panel finds that such addition 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.

Therefore, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on 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 respondent lacks rights or legitimate interests, the burden of production on this element shifts to 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 respondent fails to come forward with such relevant evidence, complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity, here claimed as passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, Respondent is not the owner of any trademark, trade name, or any other right associated with the disputed domain names. Additionally, Respondent has not been authorized by the Complainant to use the KIND PATCHES trademark, and there is no commercial relationship between the Parties.

Respondent is not recognized by the disputed domain names, and the Panel notes that Respondent is making an illegitimate use of the disputed domain name. Considering these circumstances, the Panel finds that no rights or legitimate interests can be found on behalf of Respondent.

Accordingly, 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 Respondent has registered the disputed domain names that are confusingly similar to Complainant's trademark KIND PATCHES. Also, based on the available record, it was established that Respondent has no affiliation with Complainant and the trademark KIND PATCHES, nor has it sought authorization or a license to utilize the referred trademark. Also, Respondent does not own any trademarks containing the term KIND PATCHES or showed any rights over the trademark or any related terms.

Furthermore, the addition of the terms "official" and "plus" in the disputed domain names may increase confusion with the Complainant since the consumer is led to believe that the websites linked to the disputed domain names are connected to Complainant and are related to an official distribution channel. Similarly, see *Chelsea Football Club Limited v. Official Tickets Ltd*, WIPO Case No. [D2008-1574](#).

Considering the unlawful use of the disputed domain names, it may be inferred that the registration of the disputed domain names was intentionally done with plans of passing off as Complainant, especially considering the demonstration of a bad faith pattern consistent in the registration of three similar disputed domain names reproducing Complainant's trademarks. In this sense, see *Bayerische Motoren Werke AG v. Antonio Vernacchia*, WIPO Case No. [D2019-0558](#).

The likelihood of confusion was also demonstrated by the fact that the disputed domain names resolved to websites with contents that copied Complainant's marks and aimed to pass off as Complainant to sell unauthorized products. In the same way, the addition of terms such as "official" further indicates the intention to confuse the consumer into associating Respondent to Complainant's trademarks and products, which Respondent was not authorized to use and commercialize.

Panels have held that the use of a domain name for illegal activity (i.e. passing off), constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

Therefore, the Panel finds that the circumstances of the present case allow for a finding of bad faith in the registration and use of the disputed domain names, since Respondent intended to financially profit by passing off as Complainant through the use of confusingly similar disputed domain names and the reproduction of Complainant's marks and products in its related websites.

Based on the available record, the Panel finds that 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 <kindpatchesofficial.co>, <kindpatchesofficial.com>, and <kindpatchesplus.com> be transferred to Complainant.

/Gabriel F. Leonardos/

Gabriel F. Leonardos

Sole Panelist

Date: October 21, 2025