

ADMINISTRATIVE PANEL DECISION

Harley-Davidson Motor Company, Inc. v. Alex Sobranie
Case No. D2025-3472

1. The Parties

The Complainant is Harley-Davidson Motor Company, Inc., United States of America (“United States”), represented by Briffa Legal Limited, United Kingdom.

The Respondent is Alex Sobranie, United States.

2. The Domain Name and Registrar

The disputed domain name <hdsouthampton.com> is registered with NameSilo, 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 name. On August 27, 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 (Administrator Domain, See PrivacyGuardian.org) 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 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 the Respondent of the Complaint, and the proceedings commenced on September 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Parties of the Respondent’s default on September 26, 2025.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on October 3, 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 manufacturer, retailer and distributor of Harley-Davidson motorcycles and related merchandise based in Wisconsin, United States. It is the proprietor of numerous trademarks, including the following:

- United Kingdom Trademark No. UK00903530177 for HD (word mark), registered on June 4, 2007, for goods and services in classes 12, 14, 25, 35, 37, 39 and 41;
- United Kingdom Trademark No. UK00901526276 for H-D (word mark), registered on April 9, 2001, for goods in classes 12, 14 and 25;
- United Kingdom Trademark No. UK00901536309 for  (device mark), registered on November 19, 2001, for goods and services in classes 3, 7, 9, 12, 14, 16, 18, 25, 26, 28, 35, 36, 39, and 41.

The Complainant uses the domain name <h-d.com> for its corporate website, through which it markets and sells products online.

The disputed domain name was registered on May 12, 2025. At the time of the Complaint, it resolved to a website stating “Welcome to Harley-Davidson of Southampton,” with information indicating that the website is related to a dealership of that name. The website displays the Complainant’s marks and includes information including a list of motorcycles available for purchase, customer testimonials and contact information in Southampton, Massachusetts (United States). At the time of the Decision, it did not resolve to an 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 name.

Notably, the Complainant contends that, through extensive use, its marks are well-known marks distinguishing the Complainant’s goods throughout the world. The reputation of the marks is evidenced by annual turnover in excess of USD5 billion in 2024, and significant promotional and social-media activity. The disputed domain name reflects the Complainant’s HD mark together with “Southampton,” which is a geographic name that indicates a connection to the Complainant by referring to a place where the Complainant’s goods can be purchased such as an authorized dealership. The Complainant has not authorized the Respondent to use its marks. The disputed domain name is being used for a phishing scheme in that the Respondent’s website impersonates the Complainant, causing Internet users to place orders and pay for goods they did not receive.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

- (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 Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

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 Complainant’s HD mark is reproduced within the disputed domain name. Together with the use to which the disputed domain name was put, the Panel finds that 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 other terms (here, “southampton”) may bear on assessment of the second and third elements, the Panel finds the addition of such a term 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 Panel notes the composition of the disputed domain name, which comprises the Complainant's established HD mark together with descriptive term "southampton", does not distinguish it from the Complainant's mark. Together with the use to which it has been put, the Panel finds that the composition of the disputed domain name affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the disputed domain name. [WIPO Overview 3.0](#), section 2.5.1.

There is no evidence that the Respondent is commonly known by the disputed domain name, nor that there are any circumstances or activities that would establish the Respondent's rights therein. Rather, the disputed domain name resolved to a website displaying the Complainant's marks prominently, in a likely attempt to create confusion as to the website being affiliated to the Complainant and purporting to sell the Complainant's goods. Furthermore, the Respondent's website states it is the Complainant in its Terms of Use. Under these circumstances, such use cannot establish rights or legitimate interests. See [WIPO Overview 3.0](#), sections 2.5.2 and 2.5.3.

Panels have held that the use of a domain name for illegal activity (here, claimed impersonation, phishing, or other types of fraud) 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 Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's marks. The Complainant's rights in its HD, H-D and HARLEY-DAVIDSON marks predate the registration of the disputed domain name by over 15 years. The disputed domain name comprises the Complainant's HD mark together with "Southampton," referring to a location at which, according to the Complaint, the Complainant's goods were sold at an authorized dealership until the dealership's closure in 2024 (an online search conducted by the Panel affirmed a previously operated dealership in Southampton). Noting, in addition, the use to which the disputed domain name has been put, the composition of the disputed domain name implies an intention to benefit from the reputation of the Complainant's marks. [WIPO Overview 3.0](#), section 3.1.4.

The disputed domain name directed Internet users to a website prominently featuring the Complainant's marks and purporting to offer for sale the Complainant's products. The website displayed images of the Complainant's products and falsely claimed an affiliation with the Complainant. Panels have held that the use of a domain name for illegal activity (here, claimed impersonation, phishing, or other types of fraud) 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 name constitutes bad faith under 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 <hdsouthampton.com> be transferred to the Complainant.

/Ingrīda Kariņa-Bērziņa/

Ingrīda Kariņa-Bērziņa

Sole Panelist

Date: October 17, 2025