ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Adanola Limited v. Luca Drechsler, and Phillipp Kaiser
Case No. D2025-3530

1. The Parties

The Complainant is Adanola Limited, United Kingdom, represented by Demys Limited, United Kingdom.

The Respondents are Luca Drechsler, and Phillipp Kaiser, Germany.

2. The Domain Names and Registrar

The disputed domain names <adanola-polska.com> and <adanolaturkey.com> are registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 1, 2025. On September 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 2, 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 (Domain Admin, Whoisprotection.cc) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 2, 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 domain names are under common control. The Complainant filed an amended Complaint on September 4, 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 September 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 5, 2025.

The Center appointed Zeynep Yasaman as the sole panelist in this matter on October 10, 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 Adanola Limited is a company incorporated in England and Wales, with its registered office in Manchester, United Kingdom. The Complainant, incorporated in 2018, trades under the name "Adanola", and its business concerns the design, manufacture, and sale of clothing, footwear, and accessories. Its product range includes activewear, casual wear, outerwear, sportswear, and related lifestyle items.

The Complainant is the owner of ADANOLA trademarks registered in different jurisdictions, such as:
- United Kingdom trademark ADANOLA no.UK00003152822 registered on May 27, 2016, in class 25.
- United Kingdom trademark ADANOLA no. UK00003328888 registered on October 26, 2018, in class 35.
- European Union trademark ADANOLA no. 018310759 registered on February 24, 2021, in classes 18, 25, and 35.
- International trademark ADANOLA no. 1823867 registered on July 31, 2024, in classes 3, 9, 14, 18, 24, 25, 26, and 35.

The Complainant operates through its official website under the domain name <adanola.com>, where products can be ordered and shipped worldwide. The Complainant's products are also sold through selected retail and e-commerce outlets in the United Kingdom and overseas.

The disputed domain names <adanolaturkey.com> and <adanola-polska.com> are registered, respectively, on May 12, 2024, and on May 20, 2024.

With respect to the disputed domain name <adanolaturkey.com>, the Panel notes that, at the time of this decision, the disputed domain name is offered for sale and the associated website displays links such as "Turkey Travel", "Turkey Tours", and "Istanbul Turkey". However, based on the evidence provided by the Complainant, the Panel observes that products allegedly bearing the Complainant's trademark had previously been offered for sale on the website. Moreover, the Panel notes that the website was available in two languages, Turkish and English.

With respect to the other disputed domain name <adanola-polska.com>, the Panel notes that, at the time of this decision, the disputed domain name is offered for sale and the associated website displays links such as "Sales in Poland", "Dot Official", and "Frederic Turkey". However, based on the evidence provided by the Complainant, the Panel observes that products allegedly bearing the Complainant's trademark had previously been offered for sale on the website. Moreover, the Panel notes that the website was available in two languages, Polish and English.

The Panel notes that the same product images/photos as those on the Complainant's official website have been used on both websites.

According to the information provided by the registrar, the registrants are Luca Drechler and Philipp Kaiser, both domiciled in Germany.

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 Complainant is the owner of a global portfolio of registered trademarks for the term ADANOLA and the disputed domain names are confusingly similar to the trademarks in which the Complainant has rights in terms of the Policy. The Complainant asserts that the disputed domain names incorporate the Complainant's ADANOLA name and mark in its entirety, and the geographical adornments "Turkey" and "Polska" do not dispel any possibility of confusion. The Complainant adds that the hyphen featured in the second disputed domain name does not further distinguish it from the Complainant's mark.

The Complainant contends that the Respondent is not known as ADANOLA, ADANOLA TURKEY or ANADOLA-POLSKA prior to or after the registration of the disputed domain name, that the Respondent is not a licensee of the Complainant and has not received any permission or consent from the Complainant to use its ADANOLA mark, and that the Complainant has found no evidence that the Respondent owns any trademark incorporating the term ADANOLA, ADANOLA TURKEY or ADANOLA-POLSKA. The Complainant argues that the Respondent is not making legitimate non-commercial or fair use of the disputed domain names, as the nature of the disputed domain names carries a risk of implied affiliation. The Complainant further notes that the Respondent cannot claim to make any fair use as a reseller, distributor, or service provider of the Complainant's products, as the Respondent's website fails the Oki Data test. Moreover, the Complainant asserts that the disputed domain names are not used in connection with a bona fide offering of goods or services, as the Respondent's websites purport to be operated by or associated with the Complainants, thus impersonating the Complainant's website. The Complainant further notes that, in addition to the fact that the websites do not contain any disclaimers or make clear the relationship or non-relationship between the Parties, the Respondent's websites provide no basic company information, the absence of which is inconsistent with what would ordinarily be expected of a bona fide business.

Regarding bad faith in the registration and use of the disputed domain names, the Complainant argues that Internet users seeing the disputed domain names in search engine results would reasonably assume that they are operated by, connected with, or endorsed by the Complainant and that any initial interest confusion is not dispelled upon the arrival of an Internet user on the websites associated with the disputed domain names. According to the Complainant, given that the Respondent is not authorized to operate a website (or any other publication) under the Complainant's brand, the websites increase the potential for confusion, demonstrating that the disputed domain names were registered and are used in bad faith in terms of the Policy. The Complainant adds that the Respondent is not displaying any kind of disclaimer or undertaken any other reasonable steps to avoid confusion between it and the Complainant. The Complainant contends that the Respondent intentionally attempted to attract Internet users to its websites for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source or affiliation of its websites and the offered products. Moreover, the Complainant submits that the Respondent registered the disputed domain names with prior knowledge of the Complainant's ADANOLA mark and that the Respondent's purpose was to interfere with and disrupt the Complainant's business by diverting Internet users away from the Complainant's official website to its own site for commercial gain. According to the Complainant, the nature of the disputed domain names reinforces the bad faith intentions of the Respondent. Furthermore, the Complainant adds that as for the first disputed domain name, it appears that the provided address by the Respondent - does not exist in Germany; equally, the address detail provided by the Respondent for the second disputed domain name does not appear to exist. The Complainant therefore claims that the provision of fake contact details by the Respondent underlying a privacy service is a further indication of bad faith registration and use of the disputed domain names.

B. Respondent

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally two 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.

Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of :

(i) the registrants' identity(ies) including pseudonyms,
(ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities,
(iii) relevant IP addresses, name servers, or webhost(s),
(iv) the content or layout of websites corresponding to the disputed domain names,
(v) the nature of the marks at issue (e.g., where a registrant targets a specific sector),
(vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>),
(vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue,
(viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s),
(ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s),
(x) any (prior) pattern of similar respondent behavior, or
(xi) other arguments made by the complainant and/or disclosures by the respondent(s) (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 4.11.2).

The Panel notes in this case, that even though the names of the registrants of the disputed domain names are different, the country of domicile and the phone numbers provided to the Registrar are the same. Moreover, the Panel observes that the disputed domain names are registered with the same registrar, Web Commerce Communications Limited dba WebNic.cc, and that the content and layout of the associated websites are identical. The composition of the disputed domain names is also similar, consisting of the Complainant's mark combined with a country name. Furthermore, following the filing of the Complaint, both websites were redirected to pages with the same design and format, displaying information that the disputed domain names were for sale and providing various links. Accordingly, the Panel finds that the disputed domain names ae under 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 name registrants (referred to below as "the Respondent") in a single proceeding.

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

Where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case (WIPO Overview 3.0, section 1.2.1). In the present case, given that the Complainant owns several registered ADANOLA trademarks in different jurisdictions, the Panel finds that the Complainant has established rights in respect to a trademark or service mark for the purposes of the Policy.

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 disputed domain name <adanolaturkey.com> consists of the ADANOLA mark followed by the geographical term "turkey", and the generic Top-Level Domain ("gTLD") ".com". The other disputed domain name <adanola-polska.com> consists of the ADANOLA mark followed by a hyphen, the geographical term "polska" which is the Polish word for Poland, and the generic Top-Level Domain ("gTLD") ".com". The Panel finds the Complainant's mark is recognizable within the disputed domain names. It is well established by panels applying the Policy that where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

Similarly, the applicable gTLD in a domain name (e.g., ".com") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test *(H & M Hennes & Mauritz AB v. Donnie Lewis,* WIPO Case No. D2017-0580*)*. Therefore, while the addition of terms, such as "turkey" and "polska", may bear on the assessment of the second and third elements, the Panel finds the addition of such terms and a hyphen 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). Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant's trademark for the purposes of the Policy.

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. These are as follows:

(i) before any notice of the dispute, the respondent's use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) the respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or

(iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

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

The Complainant has clearly established that the Respondent is neither affiliated with the Complainant nor authorized or licensed to use the ADANOLA trademark or register the disputed domain names. Moreover, there is no evidence indicating that the Respondent is commonly known by the disputed domain names.

Where a domain name consists of a trademark plus an additional term, UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. Certain geographic terms (e.g., <trademark-usa.com>, or <trademark.nyc>) are seen as tending to suggest sponsorship or endorsement by the trademark owner (WIPO Overview 3.0, section 2.5.1). In the present case, the Panel finds that the composition of the disputed domain names, which wholly incorporate the Complainant's trademark ADANOLA together with the geographical terms "turkey" and "polska," creates a false impression of association or affiliation with the Complainant. The Panel further observes that the associated websites reproduced the same product images as those appearing on the Complainant's official website, thereby reinforcing the misleading impression that the Respondent was an authorized distributor or otherwise connected to the Complainant. In these circumstances, such use of the disputed domain names cannot be regarded as a bona fide offering of goods or services, nor as a legitimate noncommercial or fair use under paragraph 4(c) of the Policy.

Where a respondent is re-selling a complainant's products or providing services relating to them, then the applicable criteria for determining whether a respondent can assert a right or legitimate interest in a domain name that incorporates the complainant's trademark are set out in *Oki Data Americas, Inc. v. ASD, Inc.,* WIPO Case No. D2001-0903. Outlined in the "Oki Data test", the following cumulative requirements will be applied in the specific conditions of a UDRP case: (i) the respondent must actually be offering the goods or services at issue; (ii) the respondent must use the site to sell only the trademarked goods or services; (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and (iv) the respondent must not try to "corner the market" in domain names that reflect the trademark. The Oki Data test does not apply where any prior agreement, express or otherwise, between the parties expressly prohibits (or allows) the registration or use of domain names incorporating the complainant's trademark (WIPO Overview 3.0, section 2.8). In the present case, there was no disclosure on the associated websites of any relationship with the Complainant. On the contrary, the Panel notes that the use of the Complainant's trademark and logo, together with the Complainant's copyrighted product images, gives the overall impression that the websites under the disputed domain names are associated with or authorized by the Complainant. Moreover, to the extent that the products offered for sale on the associated websites are counterfeit goods, as alleged by the Complainant, such use can never confer rights or legitimate interests upon the Respondent under paragraph 4(c) of the Policy (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:

(i) circumstances indicating that respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the domain name; or

(ii) that respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that respondent has engaged in a pattern of such conduct; or

(iii) that respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) that by using the domain name, respondent has intentionally attempted to attract, for commercial gain, Internet users to respondent's website or other on-line location, by creating a likelihood of confusion with complainant's mark as to the source, sponsorship, affiliation, or endorsement of respondent's website or location or of a product or service on respondent's website or location.

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.).

In the present case, the Panel finds that the disputed domain names have been registered and are being used in bad faith. The evidence shows that the websites under the disputed domain names reproduce the Complainant's trademark identically, as well as the same product images appearing on the Complainant's official website. Furthermore, the disputed domain names incorporate the Complainant's trademark together with the geographical terms "turkey" and "polska." Such composition is likely to mislead Internet users into believing that the websites are local versions of the Complainant's official website in Turkey and Poland, respectively, or that they are otherwise affiliated with, or authorized by, the Complainant. The Panel therefore concludes that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the websites, within the meaning of paragraph 4(b)(iv) of the Policy. Accordingly, the Panel finds that the disputed domain names were registered and are being used in bad faith.

In addition, the Panel notes that following notification of the present proceeding, the content of the websites under the disputed domain names was removed and replaced with a page indicating that the disputed domain names are offered for sale, containing various links. This further supports a finding that the Respondent has no legitimate purpose for holding the disputed domain names and confirms the Respondent's bad faith intent.

Lastly, the Panel also notes that the Respondent provided incorrect or incomplete contact information in the WhoIs register for the disputed domain names since, according to the email correspondence between the Center and the postal courier DHL, the Written Notice on the Notification of Complaint could not be delivered. This supports the Panel's bad faith finding.

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 <adanolaturkey.com> and <adanola-polska.com> be transferred to the Complainant.

/Zeynep Yasaman/
Zeynep Yasaman
Sole Panelist
Date: October 24, 2025