

## **ADMINISTRATIVE PANEL DECISION**

Hunza G Limited v. Vogelas Derick

Case No. D2025-3957

### **1. The Parties**

The Complainant is Hunza G Limited, United Kingdom, represented by Briffa Legal Limited, United Kingdom.

The Respondent is Vogelas Derick, United States of America.

### **2. The Domain Name and Registrar**

The disputed domain name <hunzaghotsale.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 29, 2025. On September 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 30, 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 (Redacted for Privacy Purposes) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 30, 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 amendment to the Complaint on October 3, 2025.

The Center verified that the Complaint together with the amendment to the 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 October 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 28, 2025.

The Center appointed Daniel Peña as the sole panelist in this matter on October 31, 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 was incorporated on May 4, 2018, to carry on the business of designing and selling swimwear and clothing under the HUNZA and HUNZA G trademarks, which have been in use since 1984 in connection with swimwear and clothing by entities in the Complainant's group of companies. The Complainant's products are sold in top retail stores in the world, including Harrods, Selfridges, Net-a-Porter, and SaksFifthAvenue.

The Complainant is the owner of trademark registrations, among which the following ones:

- United Kingdom Trademark Registration No. UK00003100102 for HUNZA G (word), registered on June 12, 2025, covering goods in class 25;

- European Union Trade Mark Registration No. 017896483 for HUNZA G (word), registered on September 6, 2018, covering goods in class 25;

- United States of America Trademark Registration No. 6132758 for HUNZA G (word), registered on August 25, 2020, covering goods in class 25;

Mexican Trademark Registration No. 1510122 for HUNZA G (word), covering goods in class 25.

- Australian Trademark Registration No. 2229346 for HUNZA G (word), registered on June 7, 2022, covering goods in class 25.

- Chinese Trademark Registration No. IR1510122 for HUNZA G (word), covering goods in class 25.

- Canadian Trademark Registration No. 1249526 for HUNZA G (word), registered on August 9, 2024, covering goods in class 25.

- Russian Trademark Registration No. IR1510122 for HUNZA G (word), covering goods in class 25.

- Japanese Trademark Registration No. IR1510122 for HUNZA G (word), covering goods in class 25.

- Hong Kong Trademark Registration No. 306253146 (word), registered on May 25, 2025, covering goods in class 25.

The Complainant also operates on the Internet, its main website being "www.hunzag.com".

The Complainant provided evidence in support of the above.

The disputed domain name was registered on August 7, 2025 and resolves to a website similar to the Complainant's official website, purportedly offering for sale the same products as the Complainant reproducing the Complainant's trademark and logo.

## **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 the disputed domain name is confusingly similar to the Complainant's HUNZA G trademark since the disputed domain name entirely incorporates the Complainant's trademark.

The Complainant's HUNZA G trademark is clearly recognizable within the disputed domain name, which differs from it only by the addition of the words "hot" and "sale".

The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the disputed domain name in view of the following:

- the Complainant has not licensed or authorized the Respondent to use its HUNZA G trademark;
- the Respondent is not affiliated with the Complainant;
- the Complainant did not authorize the Respondent to register or use the disputed domain name incorporating its HUNZA G trademark nor have the Complainant endorsed or sponsored the Respondent or the Respondent's website;
- there is no evidence that the Respondent is commonly known by the disputed domain name or owns any registered trademarks including the term "hunzaghotsale";
- the disputed domain name is a copycat version of the Complainant's official website, using its HUNZA G trademark;
- the disputed domain name was alleged to be engaged in the sale of products identical to those offered by the Complainant;
- the disputed domain name operates a website mimicking the look and feel of the Complainant's legitimate website, thereby creating confusion among consumers; - the Respondent's only interest in the disputed domain name is diverting traffic away from the Complainant and illegal use such as phishing, malware attacks and the sale of counterfeit products.

The registration of the Complainant's HUNZA G trademark predates the registration of the disputed domain name and the Respondent has never been authorized by the Complainant to use the Complainant's HUNZA G trademark nor to register the disputed domain name. Nonetheless, the Respondent has chosen to use the distinctive HUNZA G trademarks in the disputed domain name in its entirety.

The Complainant further claims that the Respondent has registered and is using the disputed domain name in bad faith.

### **B. Respondent**

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

## 6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith. Considering these requirements, the Panel rules as follows:

### 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.

The Complainant has provided evidence of its rights in the trademark HUNZA G on the basis of its multiple trademark registrations. A trademark registration provides a clear indication that the rights in the trademark belong to the Complainant (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1). It has also been established by prior UDRP panels that incorporating a trademark in its entirety into a domain name can be sufficient to establish that the domain name is confusingly similar to a trademark. Such findings were confirmed, for example, within section 1.7 of the [WIPO Overview 3.0](#).

The Respondent's incorporation of the HUNZA G trademark in full in the disputed domain name is evidence that the disputed domain name is confusingly similar to the Complainant's trademark. The mere addition of the terms "hot" and "sale" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's HUNZA G trademark because the Complainant's mark remains clearly recognizable in the disputed domain name. As noted in [WIPO Overview 3.0](#), section 1.8: "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." Furthermore, the addition of the generic Top-Level Domain ("gTLD") ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the trademark in which the Complainant has rights, meaning that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy.

### B. Rights or Legitimate Interests

In accordance with paragraph 4(a)(ii) of the Policy, the Complainant must prove that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel observes that there is no relationship, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Panel also finds that there is no indication that the Respondent is commonly known by the disputed domain name because the Respondent's name is "Vogelas Derick" which has no apparent connection with the HUNZA G trademark.

The Complainant claims that the Respondent has no connection or affiliation with the Complainant and has not received any license or consent, express or implied, to use the Complainant's trademarks in a domain name or in any other manner. Furthermore, the disputed domain name directs to a commercial website that displays the Complainant's trademark and allegedly offers the Complainant's products, without any disclaimer as to the relation with or authorization of the Complainant, exacerbating the user confusion as to the website's affiliation to the Complainant. Such use for deliberately attracting Internet users to its website in the mistaken belief that it is a website of the Complainant, or otherwise linked to or authorized by the Complainant supports a finding that the Respondent lacks rights to or legitimate interests in the disputed domain name.

The Panel concludes that the Respondent deliberately chose to include the Complainant's HUNZA G trademark in the disputed domain name, in order to achieve commercial gain by misleading Internet users, and that such use cannot be considered as a legitimate noncommercial or fair use. The Panel further finds that the composition of the disputed domain name, including the terms "hot" and "sale" carries a risk of implied affiliation with the Complainant. Noting the lack of any disclaimer, the content of the website at the disputed domain name exacerbates the confusion caused by the incorporation of the Complainant's trademark in the construction of the disputed domain name and further suggests sponsorship or endorsement by the Complainant. See sections 2.5.1 and 2.8 of the [WIPO Overview 3.0](#).

The Respondent did not submit a Response or attempt to demonstrate any rights or legitimate interests in the disputed domain name, and the Panel draws adverse inferences from this failure, where appropriate, in accordance with the Rules, paragraph 14(b).

The Panel finds the Respondent has no rights or legitimate interests in respect of the disputed domain name. Given the above, the Panel finds that the Complainant has satisfied the requirement under paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered evidence of the registration and use of a disputed domain name in bad faith:

- (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant (the owner of the trademark or service mark) or to a competitor of that complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain name;
- (ii) the 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 the respondent has engaged in a pattern of such conduct;
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on its website or location.

In the Panel's view, a finding of bad faith may be made where the Respondent "knew or should have known" of the registration and/or use of the trademark prior to registering the disputed domain name. In this case, the Complainant submits that at the date of registration of the disputed domain name, the Respondent knew or should have known of the HUNZA G trademark considering the global renown of the Complainant's prior mark and the website content targeting the Complainant's trademark, logos, and products.

The Panel takes note of the construction of the disputed domain name, which combines the HUNZA G trademark with the terms "hot" and "sale", suggesting an authorized or endorsed source likely to mislead consumers. This misleading impression is further reinforced by the disputed domain name's redirection to a website that displays the Complainant's logo and allegedly offers the Complainant's products.

The Panel is satisfied that by directing the disputed domain name to a commercial website allegedly offering the Complainant's products, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the HUNZA G trademark as to the source, sponsorship, affiliation, or endorsement of its website or of the products on its website (see section 3.1.4 of the [WIPO Overview 3.0](#)). Under paragraph 4(b)(iv) of the Policy, this circumstance shall be evidence of the registration and use of a domain name in bad faith.

Having considered the Complainant's submissions and in the absence of a Response, the Panel accepts the Complainant's submission that on the evidence there is no plausible circumstance under which the Respondent could legitimately register or use the inherently misleading disputed domain name.

Consequently, the Panel finds that the disputed domain name was registered and is being used by the Respondent in bad faith within Paragraph 4(a)(iii) 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 name <hunzaghotsale.com> be transferred to the Complainant.

*/Daniel Peña/*

**Daniel Peña**

Sole Panelist

Date: November 13, 2025