

ADMINISTRATIVE PANEL DECISION

Steven Madden, Ltd. v. 深圳市峰涌科技有限公司 (shen zhen shi feng yong ke ji you xian gong si)

Case No. D2025-3976

1. The Parties

The Complainant is Steven Madden, Ltd., United States of America ("United States"), represented by Ballard Spahr LLP, United States.

The Respondent is 深圳市峰涌科技有限公司 (shen zhen shi feng yong ke ji you xian gong si), China.

2. The Domain Name and Registrar

The disputed domain name <stevemaddenza.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 30, 2025. On September 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 9, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 9, 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 in English on the same day.

On October 9, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On the same day, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on October 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 10, 2025.

The Center appointed Karen Fong as the sole panelist in this matter on November 13, 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

Founded in 1990 by the fashion designer, Steven Madden, the Complainant is a publicly traded apparel company that produces and sells a range of footwear, clothing, accessories and other goods all over the world under the brand STEVE MADDEN.

The STEVE MADDEN mark is registered in many jurisdictions including the following:

- United States Trade Mark Registration No. 2012115 for STEVE MADDEN registered on October 29, 1996;
- Chinese Trade Mark Registration No. 6391977 for STEVE MADDEN registered on May 7, 2010; and
- South African Trade Mark Registration No. 2017/27625 for STEVE MADDEN registered on September 21, 2017;

(referred to individually and collectively as the "Trade Mark").

The Complainant's main website is at the domain name <stevemadden.com>. It also owns and operates its South African official website which is at the domain name <stevemadden.co.za>.

The Respondent who appears to be based in China registered the disputed domain name on July 5, 2025. The disputed domain name resolves to a Portuguese language website which offers for sale products competing with the Complainant's products under a third-party brand (the "Website"). The Respondent has been the named respondent in other UDRP cases which relate to domain names corresponding to the distinctive trade marks belonging to another trade mark owner, which have resulted in orders for the domain names to be transferred. These include *Activas Inc., S.A. de C.V. v. 深圳市峰涌科技有限公司 (shen zhen shi feng yong ke ji you xian gong si)*, WIPO Case No. [D2025-0811](#) and *Activas Inc., S.A. de C.V. v. 深圳市峰涌科技有限公司 (shen zhen shi feng yong ke ji you xian gong si)*, WIPO Case No. [D2025-0812](#).

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 Trade Mark, that the Respondent has no rights or legitimate interests with respect to the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for the following main reasons:

- The disputed domain name is composed of Latin characters rather than Chinese script;
- The Website is not in the Chinese language. Whilst it is in the Portuguese language, it does utilize English words on the landing page indicating that the Respondent is targeting English speaking customers; and
- The Complainant is based in the United States and would be unfairly prejudiced by the time and expense it would take to translate the Complaint and evidence into Chinese when the Respondent is proficient in English.

The Respondent has not challenged the Complainant's language request and in fact has failed to file a response in either English or Chinese despite being duly notified by the Center in both English and Chinese of the language of the proceeding and of the commencement of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

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 trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of the term “za” (country code Top-Level Domain for South Africa) after the Trade Mark may bear on assessment of the second and third elements, the Panel finds the addition of the word does not prevent a finding of confusing similarity between the disputed domain name and the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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

While 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 often impossible 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. 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 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.

Moreover, the nature of the disputed domain name is inherently misleading as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Based on the available record, 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 considers it evident that the Respondent was aware of the Trade Mark when registering the disputed domain name. The Trade Mark had been registered for many years prior to the Respondent’s registration, enjoys a significant reputation, and the disputed domain name is used for a website offering the same type of products as the Complainant, albeit under a different brand. These circumstances make it implausible that the Respondent selected and registered the disputed domain name without knowledge of the Complainant and its Trade Mark.

In the [WIPO Overview 3.0](#), section 3.2.2 states as follows:

“Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant’s mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant’s mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent’s claim not to have been aware of the complainant’s mark.”

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent's choice of the disputed domain name without any explanation is also a significant factor to consider (as stated in [WIPO Overview 3.0](#), section 3.2.1). The disputed domain name falls into the category stated above and the Panel finds that registration is in bad faith.

Moreover, the addition of the geographical indicator "za" — the commonly recognised acronym for South Africa — after the Trade Mark further supports the inference that the Respondent had actual knowledge of, and was deliberately targeting the Complainant. The Complainant offers and sells its products in South Africa, and its official South African website operates under a corresponding "za" domain name, <stevemadden.co.za>. Taken together, these circumstances reinforce the Panel's finding of bad-faith registration.

The disputed domain name is also being used in bad faith. The Website is set up for the commercial benefit of the Respondent without any authorisation from the Complainant. The Respondent uses the Trade Mark within the disputed domain name while offering a third-party's branded products, thereby creating the false impression that the Website is operated, endorsed, or approved by the Complainant when it is not. This conduct constitutes an intentional attempt to trade off the Complainant's goodwill and to misappropriate the reputation of the Trade Mark for commercial gain.

It is highly likely that Internet users typing the disputed domain name into their browser, or encountering them through a search engine, would expect to reach a website operated by the Complainant. Such confusion is inevitable given that the Trade Mark forms the most distinctive and dominant element of the disputed domain name. The Respondent is clearly attempting to exploit the fame of the Trade Mark to mislead consumers into visiting the Website instead of the Complainant's official sites.

From the above, the Panel concludes that the Respondent has intentionally attempted to attract Internet users, for commercial gain, by creating a likelihood of confusion with the Complainant's Trade Mark as to the source, sponsorship, affiliation, or endorsement of the Website. The Panel therefore finds that the disputed domain name was registered and is being used in bad faith under paragraph 4(b)(iv) of the Policy.

In addition to the above, the Respondent has a record of registering domain names which correspond to the marks of third-party brand owners as outlined above. The above is an indication that it is engaged in a pattern of bad faith conduct (section 3.1.2 of the [WIPO Overview 3.0](#)).

The Panel therefore concludes that disputed domain name has been registered and is being used in bad faith.

Based on the available record, the Panel finds the third element of the Policy has been established.

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 <stevemaddenza.com> be transferred to the Complainant.

/Karen Fong/

Karen Fong

Sole Panelist

Date: December 4, 2025