

ADMINISTRATIVE PANEL DECISION

Art-Line Limited v. Carlo Panaccione

Case No. D2025-4143

1. The Parties

The Complainant is Art-Line Limited, United Kingdom ("UK"), represented by Keystone Law, UK.

The Respondent is Carlo Panaccione, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <cassartshop.com> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 9, 2025. On October 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 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 (Unknown / Privacy Service) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 16, 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 October 17, 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 October 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 16, 2025. The Complainant submitted a Supplemental Filing on October 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 27, 2025.

The Center appointed Theda König Horowicz as the sole panelist in this matter on December 5, 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 a UK based company which has traded since 1984 offering materials for artists through several retail stores in the UK and online through its official website “www.cassart.co.uk”. According to its official website, the Complainant partners with some of the leading art brands, galleries, organizations and institutions across the UK. It also works with local galleries and supports community art projects.

The Complainant is the proprietor of a portfolio of trademarks including CASS and CASS ART in relation to various goods and services related to artists’ materials, retail store, and online retail services, and related activities, notably UK trademark registration No UK00913743646 for CASS ART, in classes 2, 16, and 35, of July 6, 2015; and United States trademark registration No. 4911800 for CASS ART LONDON, in classes 2, 16, and 35, registered on March 8, 2016.

The disputed domain name was registered on September 1, 2025. It resolves to a website copying the Complainant’s website “www.cassart.co.uk”, offering artist material for sale and using the Complainant’s distinctive “CASS ART Est. 1984” logo. More specifically, the Respondent’s website reproduces the layout and content of the Complainant’s website, for example, the following statement in the “About us” section:

“Cass Art is on a mission—fueled by a long-standing manifesto—to fill every town with artists. We believe everyone has a creative talent waiting to be unlocked. That’s why we provide the world’s finest art materials at the most competitive prices, guaranteed.

We’re proud to partner with major art brands, cultural institutions, and galleries across the UK, such as Sky Arts, the National Portrait Gallery, University of the Arts London, The Other Art Fair, and the Mayor of London’s 4th Plinth Schools Awards. Beyond these collaborations, we actively support local galleries and community art projects, helping bring creativity to life at every level.”

On October 5, 2025, the Complainant’s legal representative sent a cease-and-desist letter to the Respondent whereby it notably requested that the Respondent stops using its CASS ART trademark and logo as well as the transfer of the disputed domain name.

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 well-known and distinctive CASS ART mark. The addition of the descriptive term “shop” does not prevent a finding of confusing similarity. Internet users will reasonably assume that the disputed domain name is connected to an official online shop belonging to CASS ART.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, notably as the website at the disputed domain name is clearly designed as a copy of the Complainant’s own website (“www.cassart.co.uk”). Specifically, the website linked to the disputed domain name purports to sell art materials and incorporates the name, logo, trade dress, typography, get up, product lines (including own-brand product lines), and imagery, (much of which is also an infringement of

copyright in images and graphical works owned by the Complainant). It is an impersonation intended to mislead consumers for commercial gain. The Complainant believes that the only reason for the Respondent registering the disputed domain name, and is likely to be used as an instrument of fraud – being designed to sell art supplies to members of the public, who will believe that the disputed domain name belongs to the Complainant, or capture personal and payment details from members of the public seeking to purchase art materials or to create a situation, where the Respondent can seek to obtain money from the Complainant for the transfer of the disputed domain name.

For the same reasons, the Complainant alleges that the Respondent registered and uses the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Supplemental Filing

On October 27, 2025, the Complainant sent an email to the Center emphasizing that it does not wish to explore settlement proceedings with the Respondent, and that while preparing the Complaint submission, it tried to purchase items from the shop at the disputed domain name and providing some evidence which would show some fraudulent activity in relation with the disputed domain name.

Paragraph 10 of the UDRP Rules vests the panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and to conduct the proceedings with due expedition.

Paragraph 12 of the UDRP Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case.

The Panel notes that the party submitting or requesting to submit an unsolicited supplemental filing must clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response.

The Complainant chose to make this attempt of a test purchase on the Respondent's website after filing the Complaint without explaining for which reason it was or could not be done before.

Under the circumstance, the Panel will not consider the Supplemental Filing in rendering its decision or order further procedural steps.

6.2 Substantive issues

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the domain name registered by the Respondent 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 domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel shall decide these administrative proceedings on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 4.3.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the trademark CASS ART for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the CASS ART trademark is reproduced in the disputed domain name. The addition of the term "shop" in the disputed domain name may bear on assessment of the second and third elements, the Panel finds that the addition of such 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.

Panels have held that the use of a domain name for an illegitimate activity here, claimed as applicable to the case: impersonation/passing off, 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 Complainant has shown to have trademark rights in the distinctive CASS ART trademark including in the United States where the Respondent is supposedly based. The Complainant has also shown to be using its trademark since many years in a very specific field, which is the selling of material for artists and for which the Complainant has built a reputation in the UK. The Complainant has also shown to have an online presence through its website "www.cassart.co.uk".

Considering that the disputed domain name resolves to a copy of the Complainant's website, it is obvious that the Respondent knew about the Complainant's trademark and activity when registering the disputed domain name.

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.

Panels have held that the use of a domain name for an illegitimate activity here, claimed as impersonation/passing off, 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.

Finally, the use of a privacy service for registering the disputed domain name, the fact that the contact details provided to the Registrar are likely to be false, and that the Respondent did not participate to the proceedings, are additional factors of bad faith.

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 name <cassartshop.com> be transferred to the Complainant.

/Theda König Horowicz/

Theda König Horowicz

Sole Panelist

Date: December 23, 2025