

## **ADMINISTRATIVE PANEL DECISION**

Star Children's Dress Co., v. liu hua  
Case No. D2025-4417

### **1. The Parties**

The Complainant is Star Children's Dress Co., Inc., United States of America ("United States" or "U.S."), represented by Cowan, DeBaets, Abrahams & Sheppard, LLP, United States.

The Respondent is liu hua, China.

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

The disputed domain name <therareeditions.com> is registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 27, 2025. On October 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 29, 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 (Dynadot Inc / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 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 October 29, 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 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 21, 2025.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on November 26, 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.

To address the Complainant's inquiry of November 12, 2025, about the addition of a domain name to the proceedings, the Panel issued the Procedural Order No.1 inviting the Complainant to clarify the domain name it wishes to add to the present proceedings and identify the concerned registrar with whom the domain name is registered. On December 6, 2025, the Complainant requested to add a third level domain name to the proceedings to which the UDRP typically does not apply. Accordingly, the Panel declines the Complainant's request to add the third level domain name to the present proceedings.

#### **4. Factual Background**

The following facts are undisputed.

The Complainant is a manufacturer, creator, and designer of luxury dresses and outfits for girls, since 1936. The Complainant began selling its dresses wholesale to boutique stores in 2009 and began selling direct to consumers in 2016.

Since 2016, the Complainant has used the name RARE EDITIONS for its dresses and outfits.

The Complainant owns a U.S. trademark registration for the word mark RARE EDITIONS, with registration number 4954158, with registration date May 10, 2016, registered for goods in class 25, in particular clothing.

The disputed domain name was registered on May 25, 2025. At the time of filing the Complaint, the disputed domain name resolved to a website with the title "Rare Editions" and the text "At Rare Editions, we believe every girl deserves to feel like a limited edition treasure. For over 15 years, our mission has been to help girls shine confidently in dresses and outfits designed for life's special moments.", depicting RARE EDITION branded dresses.

At the time of decision, the disputed domain name resolved to the web address "www.rareeditions.thebabaton.com", which prominently displays the name "Rare Editions" and the text: "At Rare Editions, we believe every girl deserves to feel like a limited edition treasure. For over 15 years, our mission has been to help girls shine confidently in dresses and outfits designed for life's special moments." This website depicts RARE EDITION branded dresses. At the bottom of the web page a disclaimer is included "Disclaimer: This website is an independent, fan-created platform that provides content about various brands. It is neither affiliated with, endorsed by, nor officially associated with these brands. All trademarks, logos, and brand names mentioned are the property of their respective owners. We are merely a platform for publishing content and do not sell products."

#### **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 the following.

As a result of the Complainant's promotional efforts and dedication to providing quality products, the RARE EDITIONS trademark is recognized and relied upon by the relevant consuming public as indications of high-quality goods originating exclusively from the Complainant.

The Complainant closely controls and monitors the use of the RARE EDITIONS trademark and the distribution of authorized goods bearing or marketed under the RARE EDITIONS Trademark. The only places to purchase legitimate products from the Complainant are directly from the Complainant at its showroom in New York, or on its official website “www.rareeditions.com”, on its official <amazon.com> pages, or through licensed U.S. retailers that have purchased the Complainant’s products.

The Respondent has maintained a fraudulent website to which the disputed domain name resolves. This website purports to sell the Complainant’s dresses and outfits and includes false “About”, “Blogs and News”, “FAQs” sections, fraudulent customer testimonials, along with fake Privacy Policy, Terms & Conditions, and Contact sections. Additionally, the website contains links to non-functional social media profiles. While the format of the purported online store on the website is different from that of the Complainant’s official website, the products offered purport to be the same.

The Respondent’s use of the RARE EDITIONS trademark not only creates the impression that the website is selling actual Complaint products, but that it is operated, endorsed by, or affiliated with the Complainant when it is not. Therefore, the website is likely to cause consumer confusion.

The Respondent has misappropriated marketing images of merchandise that are taken from the Complainant’s customer website for its website at the disputed domain name.

A cease and desist has been sent to the Respondent through the Registrar.

The disputed domain name fully incorporates and is confusingly similar to the RARE EDITIONS trademark.

The Respondent uses the disputed domain name to misdirect or “bait” Internet users seeking the Complainant’s products to its own website, where it falsely advertises and claims to sell the Complainant’s genuine merchandise.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 mark is reproduced within the disputed domain name. Accordingly, 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, (the article) “the”, may bear on assessment of the second and third elements, the Panel finds 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.

The Respondent has not formally replied to the Complainant’s contentions and has not rebutted the Complainant’s prima facie case that the Respondent does not have a right or legitimate interest in the disputed domain name.

Even if the Respondent was offering goods or services of the Complainant on the website at the disputed domain name, the Respondent would not be considered as having a right or legitimate interest in the disputed domain name, under the so-called “Oki Data” test enshrined in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), and section 2.8.1 of the [WIPO Overview 3.0](#). The available record before the Panel does not show that the Respondent would meet the requirements of the Oki Data test. Notably, the Respondent’s website to which the disputed domain name resolves, creates the impression that it is the Complainant’s official website as on the top of the home page it includes the wording “At Rare Editions, we believe [...]”. The Panel notes that the disclaimer appearing at the bottom of the page seems to have been added to the website at some point after the filing of the Complaint.

Moreover, the Panel finds that the composition of the disputed domain name, combined with the associated website, creates a risk of Internet user confusion.

Panels have held that the use of a domain name for illegal activity, here impersonation, 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 refers to its considerations under 6.B.

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 that based on the evidence before the Panel, that the Respondent has clearly targeted the Complainant and its trademark, by registering and using the disputed domain name for the purpose of establishing a website that provides the false impression of being the Complainant's official website. As such the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation, 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. The bad faith is also confirmed by the fact that the physical address of the Respondent seems to be non-existent.

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 <therareeditions.com> be transferred to the Complainant.

*/Willem J. H. Leppink/*

**Willem J. H. Leppink**

Sole Panelist

Date: December 8, 2025