

ADMINISTRATIVE PANEL DECISION

Walters & Mason Retail, Inc. n/k/a Stand Out for Good, Inc. v. Carlo Panaccione

Case No. D2025-4449

1. The Parties

Complainant is Walters & Mason Retail, Inc. n/k/a Stand Out for Good, Inc., United States of America ("United States" or "U.S."), represented by Venable, LLP, United States.

Respondent is Carlo Panaccione, United States.

2. The Domain Name and Registrar

The disputed domain name <altardshop.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 28, 2025. On October 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 31, 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 (Whois Privacy Protection Service by onamae.com) and contact information in the Complaint. The Center sent an email communication to Complainant on October 31, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on November 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 Respondent of the Complaint, and the proceedings commenced on November 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 25, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on November 26, 2025.

The Center appointed Scott R. Austin as the sole panelist in this matter on December 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.

Upon review by the Panel of the documents submitted by Complainant in the annexes attached to its original Complaint, the Panel noted that Complainant's corporate name was referenced as Walters & Mason Retail, Inc. While this corporate name is listed as the original registrant to which United States trademark registration Nos. 3986450 and 4870948 were issued for trademarks comprised of the coined term "altar'd state" (the "ALTAR'D STATE Marks"), the current owner of record identified in the public database of the United States Patent and Trademark Office ("USPTO") as of the date of the filing of the Complaint for these ALTAR'D STATE Marks trademark registrations as well as International Registration No. 1260995 for the ALTAR'D STATE Mark is a company under the corporate name Stand Out For Good, Inc. The Panel's independent investigation¹ of the registrations revealed an assignment recorded in the USPTO records for each of the above United States trademark registrations that appeared to show that Complainant's name had been changed from Walters & Mason Retail, Inc. to Stand Out For Good, Inc. in 2023. On December 19, 2025, therefore, the Panel issued Procedural Order No. 1, requesting that Complainant clarify and confirm the proper name of Complainant for this proceeding as of the date of filing the Complaint with evidence. On December 19, 2025, Complainant submitted documents confirming a corporate name change from the name Walters & Mason Retail, Inc. to Stand Out For Good, Inc. effective November 22, 2023, attached to an amended Complaint under its current corporate name as amended and in effect as of the filing of the original Complaint.

4. Factual Background

Founded in 2009, Complainant is a rapidly growing women's fashion brand that markets a wide range of consumer products, including clothing, jewelry, bags, wallets, sunglasses, hair accessories, scarves, hats, belts and home décor sold under the ALTAR'D STATE Marks in more than 100 boutique retail stores in 30 U.S. states, online, and in numerous countries around the world, including but not limited to Australia, Brazil, Canada, China, India, and the European Union.

Complainant shows that the fashion products identified by their ALTAR'D STATE Marks are recognized by over a million consumers which follow Complainant on social media platforms including Instagram (1.5 million followers), Facebook (1.2 million followers), Pinterest (67,900 followers), and TikTok (621,800 followers).

Complainant also owns numerous domain names containing the ALTAR'D STATE Marks including its official domain name <altardstate.com> created on September 24, 2009 and since that time used to access the official website where Complainant operates its online store at "www.altardstate.com" (the "Official Website").

Complainant owns a number of registrations in the U.S. and around the world for the ALTAR'D STATE Marks for its fashion and home décor products, including the following:

¹ "Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research in to matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. This may include visiting the website linked to the disputed domain name in order to obtain more information about the respondent or its use of the domain name or accessing trademark registration databases." WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.8. See e.g., *Humble Bundle, Inc. v. Domain Admin, Whois Privacy Corp.*, WIPO Case No. [D2016-0914](#); *Creative NetVentures, Inc. v. Webheads*, WIPO Case No. [D2000-1655](#).

- United States Trademark Registration No. 3986450, ALTAR'D STATE, registered on June 28, 2011, for a range of retail store, online retail store, and retail gift shop services featuring a range of apparel and home decor products in International Class 35, claiming a first use date at least as early as November 19, 2009;
- United States Trademark Registration No. 4870948, ALTAR'D STATE, registered on December 15, 2015, for a range of goods and services in International Classes 3, 4, 9, 14, 18, 20, 24, 25, and 26, and claiming a first use date at least as early as October 8, 2012; and
- International Trademark Registration No. 1260995, ALTAR'D STATE, registered on November 21, 2014, for a range of goods and services in International Classes 3, 4, 9, 14, 18, 20, 24, 25, 26, and 35.

Respondent registered the disputed domain name on August 29, 2025. The Panel's independent investigation of the disputed domain name found that as of the date visited, December 11, 2025, the disputed domain name resolved to what is generally referred to as a "copycat" website which displayed pages strikingly similar to the content on the Official Website, displaying Complainant's trademark as well as its logo design with the reversed letter "D" at the end of the term "altar'd" and infringing copies of Complainant's copyright protected digital images of its products and fashion models and offering the possibility to order possibly counterfeit products at what appear to be substantially discounted prices.² Numerous cases support a UDRP panel's power to undertake such limited factual research and the Panel has, in its discretion, examined Respondent's website as well as the United States Patent and Trademark Office database for the current status of Complainant's U.S. trademark registration data. The disputed domain name resolved to a similar website at the time of filing of the Complaint.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Complainant contends that the disputed domain name is identical or confusingly similar to Complainant's ALTAR'D STATE Marks, that Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the disputed domain name was registered and is being used in bad faith. Notably, Complainant contends that at the time Respondent registered the disputed domain name, the ALTAR'D STATE Marks were well known within the fashion industry and among consumers throughout the United States and around the world based on its multiple retail locations and online platform in use for its retail fashion and home decor services. Complainant further contends that, given Respondent's development and operation of its copycat website combined with the disputed domain name being confusingly similar to Complainant's ALTAR'D STATE Marks and its official domain name, it is impossible to conceive of a circumstance in which Respondent could legitimately use the disputed domain name without creating a false impression of association with Complainant. Respondent's conduct, therefore, sought to take advantage of Complainant's goodwill and the goodwill of the ALTAR'D STATE Marks to create consumer confusion or false association with Complainant that supports targeting as grounds for bad faith registration and use.

B. Respondent

Respondent did not reply to Complainant's contentions.

² Id.

6. Discussion and Findings

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on Complainant to make out its case, and it is apparent from the terms of the Policy that Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established. As the proceedings are administrative, the standard of proof under the Policy is often expressed as the “balance of the probabilities” or “preponderance of the evidence” standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. [WIPO Overview 3.0](#), section 4.2.

Thus, for Complainant to succeed it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
2. Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. The disputed domain name has been registered and is being used in bad faith.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

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 Complainant’s trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. Trademark registration evidence has been submitted in the form of electronic copies of valid and subsisting national and international trademark registration documents in the name of Complainant referenced in Section 4 above. Ownership of a nationally registered trademark constitutes prima facie evidence that the complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.0](#), section 1.2.1; see *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#); see also *Janus International Holding Co. v. Rademacher*, WIPO Case No. [D2002-0201](#).

A consensus among UDRP panels has recognized that the global nature of the Internet and Domain Name System renders the jurisdiction(s) where a trademark is registered irrelevant to panel assessment under the first element test, as are the goods and/or services for which the mark is registered or used in commerce, the filing/priority date, date of registration, and date of claimed first use. See [WIPO Overview 3.0](#), section 1.1.2.

The Panel finds Complainant’s foregoing national and international registrations are sufficient to demonstrate statutory trademark rights in Complainant’s ALTAR’D STATE Mark to meet Complainant’s burden under the first element of the Policy.

A side-by-side comparison between the disputed domain name and Complainant’s mark shows the disputed domain name is confusingly similar to Complainant’s ALTAR’D STATE Mark. The distinctive predominant portion of Complainant’s ALTAR’D STATE Mark, the term “altard”, with its unique spelling is incorporated in its entirety in the disputed domain name followed by the term “shop” and the Top-Level Domain (“TLD”) “.com”. The predominant portion of Complainant’s ALTAR’D STATE Mark remains recognizable within the disputed domain name.

Prior UDRP panels have held “in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.” See, *L’Oréal, Lancôme Parfums et Beauté & Cie v. Jack Yang*, WIPO Case No. [D2011-1627](#); see also, *Wal-Mart Stores, Inc. v. Richard MacLeod d/b/a/ For Sale*, WIPO Case No. [D2000-0662](#). Prior UDRP panels have also found the TLD, being viewed as a standard registration requirement, may typically be disregarded under the paragraph 4(a)(i) of the Policy analysis. See also *Sony Kabushiki Kaisha v. Inja, Kil*, WIPO Case No. [D2000-1409](#).

Complainant also contends that the disputed domain name must be considered confusingly similar to Complainant’s ALTAR’D STATE Mark because the inserted term “shop” is a reference to Complainant’s services in the retail apparel industry, but this issue is more properly considered under elements two and three of the Policy. See, e.g., *TPI Holdings, Inc. v. Carmen Armengol*, WIPO Case No. [D2009-0361](#).

The Panel finds that the inserted term “shop” does not prevent a finding of confusing similarity with Complainant’s ALTAR’D STATE Mark and the mark is recognizable 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](#), sections 1.7 and 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 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 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. See also *Julian Barnes v. Old Barn Studios*, WIPO Case No. [D2001-0121](#).

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Complainant contends that none of the circumstances provided in paragraph 4(c) of the Policy for demonstrating a respondent’s rights to and legitimate interests in a domain name are present in this case. Respondent has not rebutted 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.

First, Complainant contends that Respondent has no rights in the disputed domain name. Complainant asserts that it has no commercial relationship with Respondent, Respondent is not sponsored by or affiliated with Complainant in any way, and Complainant has not given Respondent authority or license to register or use Complainant’s trademarks in any manner, including in domain names. Prior UDRP panels have held “in the absence of any license or permission from Complainant to use its trademark, no actual or contemplated bona fide or legitimate use of the disputed domain name could reasonably be claimed”. *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#). See also *Adobe Systems Incorporated v Domain OZ*, WIPO Case No. [D2000-0057](#).

Second, there is no evidence to suggest that Respondent is commonly known by the disputed domain name, which evinces a lack of rights or legitimate interests under Policy paragraph 4(c)(ii). Respondent, as registrant and registrant organization of the disputed domain name, both identified as “Carlo Panaccione”, is not commonly known by the disputed domain name because it clearly bears no resemblance to it. Prior UDRP panels have held where no evidence, including the Whois record for the disputed domain name, suggests that Respondent is commonly known by the disputed domain name, then Respondent cannot be regarded as having acquired rights to or legitimate interests in the disputed domain name within the meaning of Policy paragraph 4(c)(ii). See *Moncler S.p.A. v. Bestinfo*, WIPO Case No. [D2004-1049](#).

Most importantly, Complainant contends Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services because, as Complainant’s evidence submitted with its Complaint of screen shots of the web pages accessed through the disputed domain name shows, the disputed domain name resolves to a carefully crafted copycat version of Complainant’s Official Website to create a false association with Complainant.

The Panel notes that evidence submitted persuasively supports Complainant’s argument because it shows Respondent’s website prominently features the unauthorized use of infringing copies of Complainant’s copyright protected digital images of its products and fashion models and offers the possibility to order possibly counterfeit products at substantially discounted prices. Respondent’s activities therefore undermine any claim of rights and legitimate interests because Respondent is using the disputed domain name to confuse Internet users and suggest an affiliation with or sponsorship by Complainant to redirect Internet users to its website for its commercial gain. Based on these facts the Panel finds Respondent’s actions are clearly not legitimate and clearly are misleading. Respondent, therefore, cannot establish rights or legitimate interests pursuant to paragraph 4(c)(iii) of the Policy. See *Six Continents Hotels v. “m on”*, WIPO Case No. [D2012-2525](#); see also *Frankie Shop LLC v. Jie Wen*, WIPO Case No. [D2022-4197](#).

It is a well-established principle according to a consensus of UDRP panels that the use of a domain name for illegitimate activity such as the impersonation or selling possibly counterfeit goods found here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. See also *Frankie Shop LLC v. Domain Protection Services Inc. / My Mo*, WIPO Case No. [D2022-0825](#); *Sony Kabushiki Kaisha v. Sin, Eonmok*, WIPO Case No. [D2000-1007](#).

Having reviewed the record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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 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 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 also 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.

Complainant contends that Respondent has demonstrated a knowledge of and familiarity with Complainant’s brand and business by registering the disputed domain name that incorporates the predominant portion of the ALTAR’D STATE Mark with the insertion of the term “shop” after the leading coined term of Complainant’s mark, “altard” and the TLD “.com”. Respondent has thereby intentionally configured a domain name for registration that is confusingly similar to Complainant’s trademark, as well as its official domain name. Prior UDRP panels have found a domain name was registered in bad faith where the respondent registered the domain name for the purpose of intentionally attempting to impersonate or mislead in order to

commit fraud. See, e.g., *Houghton Mifflin Co. v. The Weatherman Inc.*, WIPO Case No. [D2001-0211](#); *Frankie Shop LLC v. Bgeew Aferg*, WIPO Case No. [D2022-3619](#); *Beam Suntory Inc. v. Name Redacted*, WIPO Case No. [D2018-2861](#).

Complainant also contends it is impossible to conceive of a circumstance in which Respondent could legitimately use this disputed domain name without creating a false impression of association with Complainant. Prior UDRP panels have held where the disputed domain name is configured in a manner to incorporate the most distinctive and recognizable term of a complainant's mark, as Complainant's ALTAR'D STATE Mark is incorporated here, with an intervening term, "shop", related to Complainant's retail fashion and home décor services, the disputed domain name can only sensibly refer to Complainant; thus, the Panel finds there is no obvious possible justification for Respondent's selection of the disputed domain name here other than registration in bad faith. See *Frankie Shop LLC v. Bgeew Aferg*, *supra*; see also *Sony Kabushiki Kaisha v. Sin, Eonmok*, *supra*.

As discussed in detail in Section 6.B above, Complainant shows in evidence in the Annexes to its Complaint that Respondent has used the disputed domain name to configure a copycat website to impersonate Complainant to attract Internet users seeking Complainant's products through possibly counterfeit products at substantially discounted prices for its own commercial gain, which constitutes evidence of bad faith under the well-established principles in the cases decided under the Policy. See [WIPO Overview 3.0](#), sections 3.1.4 and 3.4. See also *The Coca-Cola Company v. PrivacyProtect.org/ N/A, Stephan Chukwumaobim*, WIPO Case No. [D2012-1088](#); *Ropes & Gray LLP v. Domain Administrator, c/o DomainsByProxy.com / Account Receivable*, WIPO Case No. [D2020-0294](#).

Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith registration and use under the Policy. The Panel finds that the evidence presented here: 1) Respondent's copycat website using Complainant's trademark as well as content displaying infringing copies of Complainant's copyright protected digital images of its products and fashion models; and 2) offering users the possibility to order possibly counterfeit products at substantially discounted prices, is sufficient for this Panel to find bad faith registration and use. Under these circumstances, there can be little doubt Respondent had actual knowledge of Complainant, targeted Complainant's ALTAR'D STATE Mark and used its actual knowledge to configure a mimic website for its commercial advantage.

Accordingly, the Panel finds that 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 <altardshop.com> be transferred to Complainant.

/Scott R. Austin/

Scott R. Austin

Sole Panelist

Date: December 27, 2025