

ADMINISTRATIVE PANEL DECISION

Brighton and Hove Albion Football Club, Limited (The) v. Tammy Gant
Case No. D2025-4524

1. The Parties

The Complainant is Brighton and Hove Albion Football Club, Limited (The), United Kingdom ("UK"), represented by Stevens & Bolton LLP, UK.

The Respondent is Tammy Gant, Hong Kong, China.

2. The Domain Names and Registrar

The disputed domain names <brightonandhovealbionfanshop.com> (the "Initial Domain Name"), <brightonandhovealbionshop.com> ("the Additional Domain Name"), and <brightonandhovealbionfc.com> (the "Second Additional Domain Name") (collectively, the "Additional Domain Names"), are registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint involving the Initial Domain Name was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 3, 2025. On November 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 5, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 5, 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 November 7, 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 November 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 1, 2025.

On November 20, 2025 the Complainant sent an email communication to the Center requesting to further amend its Complaint by adding the Additional Domain Name to the proceeding. On November 20, 2025 the Center informed the Complainant that it would transmit the request to the Panel once it is appointed.

The Center appointed Zoltán Takács 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.

On December 9, 2025, upon instruction from the Panel, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Additional Domain Name.

On December 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Additional Domain Name and the Panel noted that it is also registered by the Respondent.

On December 12, 2025, the Panel issued Procedural Order No. 1, (a) finding that there are sufficient elements to consider the Additional Domain Name to the proceeding and that the reasons will be given in the Decision, and (b) allowing the Complainant to amend its Complaint accordingly and giving the Respondent and opportunity to respond to the Complainant's submission.

On December 16, 2026, the Complainant filed an amended Complaint requesting to add the Second Additional Domain Name to the proceeding.

Upon instruction from the Panel, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Second Additional Domain Name. On December 22, 2025, the Registrar transmitted by email to the Center its verification response disclosing the registrant and contact information for the Second Additional Domain Name and the Panel noted that it is also registered by the Respondent.

On December 23, 2025, the Panel issued Procedural Order No. 2, (a) finding that there are sufficient elements to consider the Second Additional Domain Name to the proceeding and that the reasons will be given in the Decision, and (b) allowing the Respondent to respond to the Complainant's amended Complaint of December 16, 2025.

The Respondent did not submit any response in this proceeding.

4. Factual Background

The Complainant is an English football team founded in 1901, currently playing in the Premier League, the top tier of professional football in England, UK.

The Complainant enjoys extensive national and international coverage, with its matches being broadcast across Sky Sport and BBC as well as various other domestic and international TV channels.

The Complainant has a substantial social media following, with more than 1 million followers on X, over 2 million followers on Facebook and in excess of 331 million views on its YouTube channel.

The Complainant is among others owner of the UK Trademark Registration No. UK0000258445 BRIGHTON & HOVE ALBION, registered on October 28, 2011.

The Complainant also owns the domain name <brightonandhovealbion.com> which was registered on August 20, 2009, and resolves to its principal website.

The disputed domain names <brightonandhovealbionshop.com> and <brightonandhovealbionfc.com> were registered on June 7, 2024 and have been resolving to identical websites displaying the Complainant's trademark and imagery, including an identical logo (a circular crest featuring a prominent, stylized seagull within a blue and white color scheme and the BRIGHTON & HOVE ALBION mark) used at the Complainant's website and official online shop and purport to sell various merchandise of the Complainant.

The disputed domain name <brightonandhovealbionfanshop.com> which was also registered on June 7, 2024 and which is currently inactive used to resolve to a website identical to the websites to which the disputed domain names <brightonandhovealbionshop.com> and <brightonandhovealbionfc.com> have been resolving.

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 names.

Notably, the Complainant contends that:

- the disputed domain names which incorporate its trademark with the addition of the terms "fan", "shop", and "fc" are confusingly similar to the trademark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain names since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;
- given the strength of the Complainant's rights in the trademark and the Respondent's use of the disputed domain names, it is clear that the disputed domain names were acquired for the sole purpose of causing confusion or misleading the public into thinking that the websites hosted at the disputed domain names are the Complainant's legitimate company website; and
- the Complainant has prevailed in a number of other domain name disputes against the Respondent regarding domain names incorporating its trademark, which demonstrates a clear pattern of abusive domain name registrations and use by the Respondent.

The Complainant requests that the disputed domain names be transferred from the Respondent to the Complainant.

B. Respondent

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

6. Discussion and Findings

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the domain names are identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondents have no rights or legitimate interests in respect of the domain names; and
- (iii) the domain names have been registered and are being used in bad faith.

6.1. Preliminary Procedural Issue: Addition of Domain Names Following Complaint Notification

As mentioned in the Procedural History section above, the Complainant seeks to add the Additional Domain Names to the proceeding after the Complaint has been notified to the Respondent and the proceeding has formally commenced.

The Panel grants the Complainant's request to add the Additional Domain Names to the proceeding in consideration of the following facts and pursuant to paragraph 10 of the Rules and section 4.12.2. of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"):

- the Additional Domain Names were registered by the same Respondent and on the same day as the Initial Domain Name;
- the Complainant holds relevant trademark rights regarding the Additional Domain Names as well;
- the Respondent did not submit any response in this proceeding; and
- requiring the Complainant to file separate complaints regarding the Additional Domain Names would cause the Complainant to incur additional, unnecessary costs and time.

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 trademark and the disputed domain name. [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 disputed domain names contain the Complainant's BRIGHTON & HOVE ALBION mark which is recognizable within the disputed domain names. Neither the use of the ampersand sign in the trademark instead of the word "and" nor the addition of the terms "fan", "shop" and "fc" to the trademark in the disputed domain names prevent a finding of confusing similarity between the disputed domain names and the trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

The Panel finds that 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel notes that it is evident that the Complainant has not authorized, licensed, or allowed the Respondent to use its trademark in the disputed domain names.

According to the documentary evidence submitted by the Complainant, the disputed domain names resolve (or have resolved) to identical websites displaying the Complainant's trademark and imagery, including an identical logo used at the Complainant's official online shop purporting to sell various merchandise of the Complainant.

The Panel notes that there is no evidence as to whether the goods offered on the Respondent's websites at the disputed domain names are or were counterfeit (as the Complainant alleges) or "genuine", or whether any of those goods ultimately exist or existed. However, even if the merchandise that appeared on the Respondent's websites under the disputed domain names would have existed or were genuine, for the above-mentioned reasons the Respondent's websites would still not qualify as fair use. [WIPO Overview 3.0](#), section 2.8.1, and *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

In view of the Panel the Respondent's above-mentioned use of the disputed domain names are (and were) directed at impersonating the Complainant.

UDRP panels have categorically held that the use of a domain name for illegal activity (in this case impersonation/passing off) can never confer rights of legitimate interest on a respondent.

[WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that 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.

Having reviewed the record the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

In the present case, the Panel notes that the Complainant's trademark is inherently distinctive and that its registration predates the date of registration of the disputed domain names.

The websites at the disputed domain names display (or have displayed) the Complainant's trademark and imagery purporting to sell official merchandise of the Complainant. Thus, in view of the Panel it is clear that the Respondent had actual knowledge of the Complainant and its trademark and registered the disputed domain names to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks. Paragraph 4(b)(iv) of the Policy.

The Respondent's intent to target the Complainant and its trademark can be readily inferred from the contents of the Respondent's websites seeking to impersonate the Complainant by directing Internet traffic to its websites in order to gain illegitimate profit through impersonation or false association. Visitors of the Respondent's websites might have reasonably believed that they were connected to or approved by the Complainant as it appeared to offer merchandise under the Complainant's trademark, logo and imagery and gave the impression that the sites attached to the disputed domain names were official, while that was clearly not the case.

In addition, the Complainant has provided evidence of prevailing in a number of domain name disputes against the Respondent in which it successfully relied on its rights in the BRIGHTON & HOVE ALBION mark (see *The Brighton and Hove Albion Football Club Limited v. Tammy Gant*, WIPO Case No. [D2024-5046](#); and *The Brighton and Hove Albion Football Club Limited v. Tammy Gant*, WIPO Case No. [D2024-5047](#)). This shows a clear pattern of the Respondent's bad faith conduct in connection with targeting the Complainant through trademark abusive domain name registrations. [WIPO Overview 3.0](#), section 3.1.2.

As mentioned above, the disputed domain name <brightonandhovealbionfanshop.com> is currently inactive. However, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. In this context, the Panel notes the distinctiveness of the Complainants' trademark, the composition and previous use of the disputed domain name and finds that in the circumstances of this case the current passive holding of the disputed domain name <brightonandhovealbionfanshop.com> does not prevent a finding of bad faith under the Policy.

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 names <brightonandhovealbionfanshop.com>, <brightonandhovealbionshop.com>, and <brightonandhovealbionfc.com> be transferred to the Complainant.

/Zoltán Takács/
Zoltán Takács
Sole Panelist
Date: January 2, 2026