

ADMINISTRATIVE PANEL DECISION

Fendi S.r.l. v. Manuel Klein

Case No. D2025-4812

1. The Parties

Complainant is Fendi S.r.l., Italy, represented by Studio Barbero S.p.A., Italy.

Respondent is Manuel Klein, Germany.

2. The Domain Name and Registrar

The disputed domain name <fendiporn.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 19, 2025. On November 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 21, 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 (GDPR Masked) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 21, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on November 24, 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 Respondent of the Complaint, and the proceedings commenced on November 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 17, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on December 18, 2025.

The Center appointed Marina Perraki as the sole panelist in this matter on December 24, 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

Complainant is an Italian fashion house that started out as a family, fur and leather, shop founded by Adele and Edoardo Fendi in Rome, in 1925. Complainant since then grew significantly and in 2001 became part of the LVMH Moët Hennessy Louis Vuitton SE group. Today, Complainant's products under its FENDI trademark are commercialized in many countries with more than 270 stores worldwide. Furthermore, the trademark FENDI is intensively advertised worldwide.

Complainant's principal website is located at "www.fendi.com", while Complainant's website dedicated to the German market is "www.fendi.com/de-de/" in the German language.

Complainant owns numerous FENDI domain name and trademark registrations, including the following trademark registrations:

- International Trademark Registration No. 426761 for FENDI (figurative) registered on December 1, 1976, for goods in international classes 3, 18, 24 and 25, designating, inter alia, Germany; and
- International Trademark Registration No. 483514 for FENDI (figurative) registered on March 26, 1984, for goods in international class 16, designating, inter alia, Germany.

The disputed domain name was registered on January 28, 2020 and at the time of filing of the Complaint it resolved to a website in German displaying adult content (the "Website").

Complainant sent cease and desist letters on February 13, 2025, February 18, 2025, February 21, 2025, March 3, 2025, March 17, 2025, March 31, 2025 and April 4, 2025, to which Respondent did not reply.

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.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the disputed domain name:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[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. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the Complainant's FENDI 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, "porn", 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 generic Top-Level Domain ("gTLD") ".com" is disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons (*Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#); *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. [D2002-0122](#)).

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 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.

On the contrary, as Complainant has demonstrated, the disputed domain name lead to the Website that featured adult content. The use of a domain name to host a page containing adult content does not represent a bona fide offering (*MatchNet plc. v. MAC Trading*, WIPO Case No. [D2000-0205](#)).

The Panel finds that these circumstances do not confer upon Respondent any rights or legitimate interests in respect of the disputed domain name.

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.

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.

The Panel concludes that Respondent has registered and used the disputed domain name in bad faith. Complainant's mark FENDI had been widely used and registered at the time of the disputed domain name registration by Respondent and enjoyed reputation. Therefore, the Panel finds it more likely than not that Respondent had Complainant's mark in mind when registering the disputed domain name.

As regards bad faith use, Complainant demonstrated that the disputed domain name lead to the Website displaying pornographic content. Accordingly, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website, by creating a likelihood of confusion with Complainant's mark.

The disputed domain name use furthermore tarnishes Complainant's reputation by suggesting a connection between Complainant and adult services. This is an indication of bad faith use ([WIPO Overview 3.0](#), section 3.12; *Christian Dior Couture v. Identity Protection Service / Tom Birkett*, WIPO Case No. [D2014-1053](#)).

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 <fendiporn.com> be transferred to the Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: January 7, 2026