

## **ADMINISTRATIVE PANEL DECISION**

Oscar de La Renta, LLC v. linn song  
Case No. D2025-4816

### **1. The Parties**

Complainant is Oscar de La Renta, LLC, United States of America (“United States”), represented by Tmark Conseils, France.

Respondent is linn song, United States.

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

The disputed domain name <oscardelarentais-us.shop> is registered with Spaceship, Inc. (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 20, 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 (IDENTITY UNDISCLOSED) and contact information in the Complaint. The Center sent an email communication to Complainant on November 24, 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 26, 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 December 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 21, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on December 26, 2025.

The Center appointed Timothy D. Casey as the sole panelist in this matter on January 6, 2026. 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 a company incorporated in the United States that has been a fashion brand with more than 60 years of history. Complainant has operated a website under the domain name <oscardelarenta.com> since 1997 and <oscardelarenta.us> since 2025 that sells ready-to-wear clothing, bridal clothing, bags, accessories, jewelry, and other items. Complainant is the owner of trademark registrations in the United States including “oscar de la renta” as an element of the mark (the “OSCAR DE LA RENTA Marks”) as follows:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
OSCAR DE LA RENTA (Design)	United States	25	2,119,455	December 9, 1997
OSCAR DE LA RENTA	United States	25	1,334,456	May 7, 1985

The disputed domain name was registered October 16, 2025. Prior to the filing of the Complaint, the disputed domain name resolved to a website copying aspects of Complainant’s website, including the OSCAR DE LA RENTA Marks and pictures of Complainant’s products for sale. Respondent’s website also included reference to another entity, including a copyright notice allegedly owned by that entity. At the time of the filing of the Complaint, the disputed domain name no longer resolved to an active website.

#### 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.

Notably, Complainant contends that it has rights in the OSCAR DE LA RENTA Marks, as evidenced herein, and that the disputed domain name is confusingly similar to the OSCAR DE LA RENTA Marks because the disputed domain name wholly incorporates the OSCAR DE LA RENTA Marks and the OSCAR DE LA RENTA Marks are recognizable within the disputed domain name despite the addition of the letters “is” and “us” at the end of the disputed domain name. Complainant contends that “is” is the country code for Iceland and “us” is the country code for United States and therefore the added letters merely describe the provenance or destination of the goods at Respondent’s website and that neither set of letters prevents a finding of confusing similarity between the disputed domain name and the OSCAR DE LA RENTA Marks. Complainant further contends that the use of the generic Top-Level Domain (“gTLD”) is insufficient to distinguish the disputed domain name from the OSCAR DE LA RENTA Marks.

Complainant contends that Respondent has no right or legitimate interests in the disputed domain name because Respondent is not affiliated with Complainant in any manner and has never been authorized to use or register the disputed domain name. Complainant contends that Respondent is not making a legitimate noncommercial or fair use of the disputed domain name because Respondent’s website is a knock-off version of Complainant’s website. Rather, Complainant contends Respondent’s website misleads consumers and diverts them from Complainant’s website for the commercial gain of Respondent and is therefore not a bona fide offering of goods or services, particularly since Respondent has used the disputed domain name in a fraudulent manner. Complainant further contends that Respondent’s website is intended to promote the products of one of Complainant’s competitors, the aforementioned entity, and redirect Complainant’s customers to the competitor’s website. Finally, Complainant notes that Respondent has

deactivated its website, which is further proof of Respondent's lack of rights or legitimate interests in the disputed domain name.

Complainant contends Respondent had actual knowledge of the OSCAR DE LA RENTA Marks prior to registering the disputed domain name, as evidenced by Respondent's website, and therefore registered and used the disputed domain name in bad faith. Complainant contends that Respondent's use of a fake contact address at Respondent's website utilizing the disputed domain name is further evidence of bad faith as is Respondent's referenced association with a competitor to Complainant. Finally, Complainant contends that Respondent's use of a privacy service is further evidence of bad faith.

## **B. Respondent**

Respondent did not reply to 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 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 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 words "is" and "us," may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 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.

Panels have held that the use of a domain name for illegitimate activity here, claimed 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 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 Respondent was clearly aware of the OSCAR DE LA RENTA Marks prior to registering and using the disputed domain name in association with a website that copies Complainant's OSCAR DE LA RENTA Marks and includes images of Complainant's goods and generally confuses consumers as to the source of the goods offered for sale therein. Additional evidence of bad faith is present in Respondent's use of contact information including the disputed domain name, the use of a privacy service, and the inclusion of clearly false information in the contact information provided to the Registrar.

The Panel believes the information about Complainant's competitor included in Respondent's website relates to other impersonation activities of Respondent, as the domain name used for the competitor's website in Respondent's website also includes the word "is" and is not the official website of the competitor.

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 illegitimate 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 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 <oscardelarentais-us.shop> be transferred to Complainant.

*/Timothy D. Casey/*

**Timothy D. Casey**

Sole Panelist

Date: January 20, 2026