

ADMINISTRATIVE PANEL DECISION

Mia A. Irizarry v. lasaro flores

Case No. D2025-5227

1. The Parties

The Complainant is Mia A. Irizarry, United States of America ("United States" or "U.S."), represented by Idel Pagan, United States.

The Respondent is lasaro flores, United States.

2. The Domain Name and Registrar

The disputed domain name <sarobey.com> (the "Disputed Domain Name") is registered with Cosmotown, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 15, 2025. On December 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed Domain Name. On December 19, 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 (current registrant of sarobey.com (name and address redacted for privacy in public WHOIS)) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 19, 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 amendment to the Complaint on the same date.

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 the Respondent of the Complaint, and the proceedings commenced on December 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 18, 2026. The Respondent sent an email communication to the Center on December 29, 2025. However, the Respondent did not file any formal response. Accordingly, the Center notified the commencement of panel appointment on January 26, 2026.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on January 28, 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

The Complainant states that she “previously owned and used” the Disputed Domain Name in connection with an “apparel and retail” business, but it “lapsed.” The Complainant has provided historical screenshots of a website using the Disputed Domain Name in 2017, which refers to “worldwide designers,” “apparel artisans and designers”, and “global boho, indie & retro clothing”.

The Complainant states that she is the owner of U.S. Reg. No. 7,186,812 for a stylized version of the mark SAROBEY CLOTHING APPAREL & CULTURE (which disclaims “clothing” or “apparel”) for use in connection with “online wholesale and retail store services featuring clothing, footwear, headwear, purses, and fashion accessories” (registered October 10, 2023). This registration is referred to herein as the “SAROBEY Trademark.”

The creation date currently associated with the Disputed Domain Name is November 12, 2025. The Complainant has provided historical Whois records showing that the Disputed Domain Name was previously registered in 2013.

The Complainant states, and provides documentation in support thereof, that the Disputed Domain Name is currently used in connection with a website advertising it for sale. The Complainant provides documentation showing that she attempted to purchase the Disputed Domain Name via a broker, who reported to her that the registrant of the Disputed Domain Name “will only consider to sell the domain name with \$5000.”

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 that:

- The Disputed Domain Name is confusingly similar to the SAROBEY Trademark because, inter alia, “[t]he second level portion of the domain name, ‘sarobey,’ is identical to the Complainant’s SAROBEY mark”;
- The Respondent has no rights or legitimate interests in the Disputed Domain Name because, inter alia, “[t]he Complainant has not licensed, permitted, or otherwise authorized the Respondent to use the SAROBEY mark, nor to register sarobey.com or any other domain name incorporating the SAROBEY mark”; “[t]here is no evidence that the Respondent has been commonly known by the name ‘Sarobey’ or ‘Sarobey Clothing.’”; “[t]o the contrary, the Registration Data shows prior ownership of sarobey.com by or on behalf of the Complainant for many years and later registration by domain investors or third party registrants with no connection to the Complainant’s brand”; “the domain currently resolves to a ‘for sale’ landing page that offers sarobey.com for purchase through a brokerage platform, with no independent content, no genuine business website, and no legitimate use of the term ‘Sarobey’ other than offering the domain for sale”; and “[t]he only purpose of the Respondent’s use, as reflected in the annexed evidence, is to monetize the domain through resale”; and
- The Disputed Domain Name was registered and is being used in bad faith because, inter alia, “[t]he Complainant previously owned and used sarobey.com for her SAROBEY brand” and the Disputed

Domain Name “lapsed”; “[t]he Respondent is using the domain name primarily for resale, not for any legitimate site”; “[t]he Respondent was or should have been aware of the Complainant’s rights at the time of registration” given that “[t]he term ‘SAROBey’ is a distinctive and invented term not commonly used except in connection with the Complainant’s brand”; the Respondent is only willing to sell the Disputed Domain Name “at a premium budget.”

B. Respondent

The Respondent did not file a formal Response but sent an email to the Center on December 29, 2025, stating: “Hello, I am a domain operator. If you wish to purchase this domain, I believe you would need to pay \$1500. Thank you.”

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registration cited by the Complainant, it is apparent that the Complainant has rights in and to the SAROBey Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the SAROBey Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., “sarobey”) because “[t]he applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test”. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.11.1.

As set forth in section 1.7 of [WIPO Overview 3.0](#): “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.” Here, a dominant feature of the SAROBey Trademark – that is, “sarobey” – is recognizable in the Disputed Domain Name.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “[t]he Complainant has not licensed, permitted, or otherwise authorized the Respondent to use the SAROBey mark, nor to register sarobey.com or any other domain name incorporating the SAROBey mark”; “[t]here is no evidence that the Respondent has been commonly known by the name ‘Sarobey’ or ‘Sarobey Clothing.’”; “[t]o the contrary, the Registration Data shows prior ownership of sarobey.com by or on behalf of the Complainant for many years and later registration by domain investors or third party registrants with no connection to the Complainant’s brand”; “the domain currently resolves to a ‘for sale’ landing page that offers sarobey.com for purchase through a brokerage platform, with no independent content, no genuine business website, and no legitimate use of the term ‘Sarobey’ other than offering the domain for sale”; and “[t]he only purpose of the Respondent’s use, as reflected in the annexed evidence, is to monetize the domain through resale.”

[WIPO Overview 3.0](#), section 2.1, states: “[w]hile 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.”

The Panel finds that the Complainant has established its prima facie case and without any evidence from the Respondent to the contrary, the Panel is satisfied that the Complainant has satisfied the second element of the Policy.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant’s documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the registrant’s website or location or of a product or service on the registrant’s website or location. Policy, paragraph 4(b).

The Complainant has claimed that “[the Respondent’s] conduct directly corresponds to Paragraph 4(b)(i) of the Policy.” However, as noted, the factors under paragraph 4(b) are without limitation. As set forth in section 3.2.1 of [WIPO Overview 3.0](#), a respondent may be found to have acted in bad faith where, as here, “the timing and circumstances of the registration” follow “the complainant’s failure to renew its domain name registration.” See also, e.g., *Christopher B. Bridges v. Douglas Swift, Third-Party Solutions LLC*, WIPO Case No. [D2019-2083](#) (finding bad faith where “Respondent took advantage of a lapse in registration of an active domain name, to register a domain name that comported the Complainant’s trademark and that was clearly and exclusively associated with the Complainant”); *Theodoor Gilissen Bankiers N.V. v. AbdulBasit Malaani*, WIPO Case No. [D2013-1229](#) (finding bad faith where “Respondent registered the disputed domain name shortly after the Complainant’s original domain name registration expired”); and *Pierre Fabre Medicament v. Pierre Fabre*, WIPO Case No. [D2009-0146](#) (finding bad faith where “Complainant failed to renew the registration” and “the Respondent demanded a price seemingly in excess of normal out-of-pocket registration and related costs”).

While the complainants’ trademark rights in the preceding decisions were generally registered for lengthy periods of time, the Panel notes that Complainant’s lone registration for the SAROBEY Trademark was only obtained in 2023, just over two years prior to the current creation date of the Disputed Domain Name. However, the Panel also notes that the SAROBEY Trademark is highly distinctive, and a “ cursory search of the name... would have revealed the existence of the Complainant.” *Moog Inc. v. Luo Jie Ming*, WIPO Case No. [D2018-1101](#). The Disputed Domain Name is currently used in connection with a website advertising it for sale. The Panel considers that the Disputed Domain Name was registered and is being used in bad faith within the meaning of paragraph 4(b)(i) of 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 name <sarobey.com> be transferred to the Complainant.

/Douglas M. Isenberg/

Douglas M. Isenberg

Sole Panelist

Date: February 11, 2026