ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Caroll International v. Domain Administrator, Fundacion Privacy Services LTD
Case No. D2026-0047

1. The Parties

The Complainant is Caroll International, France, represented by MIIP MADE IN IP, France.

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

2. The Domain Name and Registrar

The disputed domain name <carollfashion.com> is registered with Media Elite Holdings Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 7, 2026. On January 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 18, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 January 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 10, 2026.

The Center appointed David Stone as the sole panelist in this matter on February 17, 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 is a French fashion house established in 1963. Today, it has over 500 stores worldwide, with 300 of those in France.

The Complainant owns, among others, the following trademark registrations for CAROLL (the "Mark"):

- European Union Trade Mark No. 9892431 registered on September 16, 2011, in International Classes 14, 18 and 25; and
- French trademark registration No. 1233265 registered on April 15, 1983, in International Classes 18 and 25.

The Complainant's official website is hosted at the domain name <caroll.com>.

The disputed domain name was created on December 16, 2024. The Complainant has provided evidence that the disputed domain name previously redirected to a website providing gambling services. At the date of this Decision, the disputed domain name redirects to a website providing health supplements.

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.

The Complainant contends, under the first element, that the disputed domain name incorporates the Mark in its entirety, that the Mark is recognizable within the disputed domain name, and the addition of the suffix "fashion" is descriptive. The Complainant also contends that the Mark is highly distinctive in the fashion industry. Therefore, it is said that the disputed domain name is confusingly similar to the Mark.

The Complainant contends, under the second element, that the Respondent has no rights in respect of the Mark and is not commonly known by the disputed domain name. The Respondent has not been authorized by the Complainant to use the Mark. The Complainant also contends that the Respondent registered the disputed domain name after the Complainant longstanding use and registration of the Mark. In addition, the Complainant contends that the configuration of MX records for the disputed domain name suggests an intention to use it for illegal purposes, such as phishing.

The Complainant contends, under the third element, that the Mark is well known and the Respondent must have been aware of the Complainant and its Mark. The Complainant also contends that there is no reason to use the Mark together with the word "fashion", which is directly linked to the Complainant's activity, except for taking advantage of the Complainant's reputation for commercial gain, or for illegal purposes as phishing.

B. Respondent

The Respondent did not reply to the 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 the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, 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 3.1, section 1.7.

Although the addition of other terms, here, "fashion", 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 3.1, 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 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 3.1, 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 name. 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 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 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: (i) the disputed domain name is confusingly similar for the reasons already given and it differs from the Complainant's official domain name by just "fashion", which is descriptive of the Complainant's commercial activity; (ii) the disputed domain name previously redirected to a website providing gambling services; and (iii) at the date of this Decision, the disputed domain name redirects to which hosts a website providing health supplements.

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 3.1, section 3.2.1.

Particular circumstances panels may take into account in assessing whether the respondent's registration of a domain name is in bad faith include: (i) the nature of the domain name (e.g., a domain name incorporating the complainant's mark plus an additional term such as a descriptive term), (ii) the chosen top-level domain, and (iii) the content of any website to which the domain name directs, including any changes in such content and the timing thereof. WIPO Overview 3.1, section 3.2.1.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4. Panels have moreover found that evidence of a respondent seeking to cause confusion supports a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark. The types of evidence that support such a finding include: (i) the respondent seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful, (ii) the lack of a respondent's own rights to or legitimate interests in a domain name, and (iii) redirecting the domain name to a different respondent-owned website. WIPO Overview 3.1, section 3.1.4.

The Respondent did not come forward to show it has rights or legitimate interests in the disputed domain name, and the Panel finds that the Respondent has no credible explanation for its choice of domain name, which appears to target the Complainant. The disputed domain name has redirected to websites that may or may not be owned by the Respondent but, in any case, the Panel infers that the redirections were put in place by the Respondent with the aim of making a commercial gain, even if unsuccessful.

Further, the Respondent has not attempted to refute any of the Complainant's contentions, which casts additional doubt on the nature of its conduct. WIPO Overview 3.1, section 3.2.1.

Having reviewed the record, the Panel concludes that the actions of the Respondent in choosing the disputed domain name were aimed at attracting, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's Marks. The Panel therefore concludes that the disputed domain name was registered and is being used in bad faith.

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 <carollfashion.com> be transferred to the Complainant.

/David Stone/
David Stone
Sole Panelist
Date: March 3, 2026