ARBITRATION
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MEDIATION CENTER

WIPO
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ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
Crocs, Inc. v. Footloose Footloose
Case No. D2026-0207

## 1. The Parties

The Complainant is Crocs, Inc., United States of America ("United States"), represented by Lipkus Law LLP, Canada.

The Respondent is Footloose Footloose, Egypt.

## 2. The Domain Name and Registrar

The disputed domain name <crocsegypt.com> is registered with Dominet (HK) Limited (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 19, 2026. On January 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 20, 2026, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on January 20, 2026, 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 January 21, 2026.

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 January 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 17, 2026.

The Center appointed Zoltán Takács as the sole panelist in this matter on February 18, 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 manufactures and markets casual footwear for men, women and children, offering a broad range of all-season products.

The Complainant sells over 150 million pairs of shoes a year in more than 85 countries of the world.

The Complainant is among others the owner of the United States Trademark Registration No. 3836415 for the word mark CROCS registered since August 24, 2010, and the Egyptian Trademark Registration No. 260699 for the word mark CROCS registered since July 22, 2014.

The Complainant also owns a number of domain names comprising its CROCS mark, e.g. the domain name <crocs.com>, which was registered on June 19, 1996, and which resolves to its principal website.

The disputed domain name was registered on June 3, 2015, and according to the evidence submitted by the Complainant it resolved to a website that purported to be the Complainant's official online store in Egypt.

Currently the disputed domain name redirects to "www.clogsegypt.com" website, which prominently displays the Complainant's CROCS mark and purports to sell the Complainant's products. The "About Us" page of the website references solely the Complainant and its business.

**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 which incorporates its CROCS mark in its entirety with addition of the term "Egypt" is confusingly similar to the mark;

- the Respondent has no rights or legitimate interests in respect of the disputed domain name since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy, particularly because:

a) the Respondent, which under various corporate names was a distributor and licensee of the Complainant from 2009 to 2023 registered the disputed domain name without the Complainant's authorization;

b) the distribution agreement expressly prohibited online sales and the use of the CROCS mark in the domain names for online sales without prior written approval;

c) upon termination of the distribution agreement the Respondent refused the transfer of the disputed domain name to the Complainant in view of the stipulation signed and despite the Complainant's such express claim; and

d) the disputed domain name has been used for an imitation e-commerce website that purports to sell CROCS products, including old stock and counterfeit;

- the Respondent's registration of the disputed domain name without the Complainant's permission during the currency of a distributorship agreement and the Respondent's diversion of the Complainant's potential customers to an imitation e-commerce website where CROCS-branded footwear, including counterfeit CROCS products are offered for sale as well as provision of false contact information by the Respondent is evidence of bad faith registration and use of the disputed domain name.

The Complainant requests that the disputed domain name 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 name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

(ii) the respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the 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 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 CROCS mark is reproduced and is recognizable 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 "Egypt" may bear on assessment of the second and third elements, the Panel finds that 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 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 3.1, 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.

According to the documentary evidence submitted by the Complainant, entities under various corporate names had business relationships with the Complainant's subsidiaries between 2009 and 2023 as distributors and licensees of CROCS products in Egypt. One of the signatories of these agreements was an individual, who signed on behalf of various named distributors and licensees, one of them being Footloose Trading Co. The agreements expressly prohibited online sales. In 2021, the Complainant entered into an exclusive license agreement with the company Footloose Trading Co., granting it the right to sell CROCS products in Egypt. In the absence of any explanation to the contrary from the Respondent, the Panel considers that entity to be the registrant of the disputed domain name. The agreement expressly prohibits Internet sales and prohibits the distributors and the licensees from using the CROCS mark in any domain name prior written approval. The Complainant claims that it did not authorize the Respondent to register domain names using the CROCS mark. The agreements were terminated in 2023, and the distributors and the licensees were required to, among others, transfer all domain names possessed or licensed under the agreement to the Complainant.

As mentioned above, the disputed domain name was used to resolve to a website that purported to be the Complainant's official online store in Egypt, despite the distribution agreements mentioned above expressly prohibited online sales on CROCS products in Egypt and the distributors and the licensees from using the CROCS mark in any domain name prior written approval.

The disputed domain name is currently used to redirect to "www.clogsegypt.com" website, which prominently displays the Complainant's CROCS mark and purports to sell the Complainant's products without any authorization. The "About Us" page of the website solely references the Complainant and its business. On October of 2025 the Complainant conducted test purchase of two products sold by the Respondent's website and determined that both were counterfeit. In view of the Panel the Complainant's above contentions are supported by the record.

The Respondent did not challenge these contentions, and the Panel accepts them as true and finds that none of the above-mentioned use of the disputed domain name can confer rights or legitimate interests on the Respondent.

Even if the goods offered for sale on the website at the disputed domain name were not counterfeit goods, the Respondent's use would not qualify as bona fide under the Policy. The prior agreement between the Parties expressly prohibits registration or use of domain names incorporating the Complainant's mark. Also, the website available at the disputed domain name does not disclose the Respondent's relationship with the trademark owner in any way. *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903; WIPO Overview 3.1, section 2.8.

In addition to the current impersonation on the website at the disputed domain name and lack of disclaimer, the misleading nature of the disputed domain name - incorporating the Complainant's trademark and a descriptive term "Egypt" - carries risk of implied affiliation, reflecting the Respondent's intent to mislead Internet users. WIPO Overview 3.1, section 2.5.1.

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 name constitutes bad faith under the Policy.

In the present case, the Panel notes that the disputed domain name was registered without the Complainant's permission during the currency of a distributorship agreement. The Complainant asserts that the Respondent was never authorized to operate any online store or to register domain names incorporating the CROCS Mark. In support, the Complainant submitted evidence of a distribution agreement signed in 2009 between the Complainant's subsidiary and a third party. However, the signatory to that distribution agreement appears to be the same individual who represents Footloose Trading Co., which the Panel considers to be the registrant of the disputed domain name. In the absence of any evidence or explanation to the contrary, the Panel finds that the entity that signed the 2009 agreement was either the same as, or related to, the Respondent. Notably, the distributorship agreement, executed prior to the registration of the disputed domain name, expressly prohibited online sales. In these circumstances, the Panel finds that the disputed domain name was registered in bad faith.

The disputed domain name is currently diverting the Complainant's customers or potential customers seeking information about the Complainant to an imitation e-commerce website at which the Complainant's CROCS mark is prominently reproduced and at which CROCS branded footwear is offered for sale without authorization, including counterfeit CROCS products. Visitors of the Respondent's website may reasonably believe that it is connected to or approved by the Complainant, while that it clearly not the case. Panels have held that the use of a domain name for illegal activity, in this case sale of counterfeit goods and impersonation/passing off constitutes bad faith. WIPO Overview 3.1, sections 2.13 and 3.1.4.

Also, the postal code 22122 provided by the Respondent cannot be in Cairo, Egypt, because Cairo uses codes ranging from 11311 to 11668. The Respondent's use of false contact details is additional indication of the Respondent's bad faith. WIPO Overview 3.1, section 3.6.

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 <crocsegypt.com> be transferred to the Complainant.

*/Zoltán Takács/*
**Zoltán Takács**
Sole Panelist
Date: March 3, 2026