

## **ADMINISTRATIVE PANEL DECISION**

JARDILAND v. tgiuahbi hoi, fasggq  
Case No. D2026-0335

### **1. The Parties**

The Complainant is JARDILAND, France, represented by Fidal, France.

The Respondent is tgiuahbi hoi, fasggq, Norway.

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

The disputed domain name <jardilandeu.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 27, 2026. On January 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 29, 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 (No information provided) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 30, 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 amendment to the Complaint on February 2, 2026.

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 February 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 9, 2026.

The Center appointed Christos A. Theodoulou as the sole panelist in this matter on March 13, 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, JARDILAND, is a distributor company specializing in the world of gardening, pets and the art of living, with a network of nearly 180 stores, including about a hundred directly owned.

The Complainant is the owner of numerous JARDILAND trademarks in various countries since many years.

The Complainant is the owner of many trademarks worldwide and notably of the following trademarks:

- International Registration JARDILAND No. 1268138 registered April 14, 2015;
- International Registration JARDILAND No. 1627350 registered June 2, 2021;
- French Registration JARDILAND, CULTIVEZ VOTRE BIEN-ETRE No. 4118715 registered September 17, 2014.

The Complainant is the owner of multiple domain names with the term "jardiland" including the domain name <jardiland.com> since January 12, 2000.

The disputed domain name <jardilandeu.com> was created on November 27, 2025, that is after the registration of the Complainant's trademarks.

The disputed domain name resolves to an active website which has a similar look to the Complainant's website, e.g. it refers to the Complainant's trademarks for identical activities; it refers to the Complainant's registered trademark JARDILAND, CULTIVEZ VOTRE BIEN-ETRE; it reproduces identically the Complainant's logo; it reproduces almost identical banners and pictures of the Complainant's.

#### **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 identical or confusingly similar to its trademarks JARDILAND in which the Complainant has rights, that the Respondent lacks any rights or legitimate interests in respect of the disputed domain name, and that the Respondent registered the disputed domain name after the Complainant registered its trademarks and domain names and used the disputed domain name in bad faith.

Moreover, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name, that the Respondent has no relation to the Complainant in any way. The Complainant further alleges that the Respondent was neither licensed nor authorized to make any use of the Complainant's trademarks JARDILAND.

The Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith. The Complainant's trademarks were registered and used by the Complainant long before the Respondent registered the disputed domain name.

## **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 JARDILAND trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the JARDILAND mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusing similar to the Complainant's trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The addition of other terms ("eu" does not prevent a finding of confusing similarity under the first element. [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 that 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.

In particular and based on the available record, the Panel finds that the Respondent has not used the disputed domain name for a bona fide offering of goods or services; that the Respondent is not commonly known by the disputed domain name; and that the Respondent has not made a legitimate noncommercial or fair use of the disputed domain name.

Moreover, it is to be noted that the Respondent did not present evidence of any license or permission by the Complainant, with whom there seems to exist no relationship whatsoever.

In addition, the Panel notes that the composition of the disputed domain name, incorporating the Complainant's distinctive trademark in its entirety with the addition of "eu" carries a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

As a conclusion on this point, 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.

In the present case, the Panel notes that the Respondent's disputed domain name was created on November 27, 2025, whereas the Complainant's trademarks had already been registered. From the evidence at hand, the Panel finds that the Respondent, when registering the disputed domain name, must have been aware of the Complainant's trademarks. Therefore, the Respondent's awareness of the Complainant's trademark rights at the time of registration suggests bad faith (See, *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#), and *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#)).

Further, the disputed domain name incorporates the Complainant's JARDILAND trademark and this, according to previous UDRP cases, evidences bad faith registration and use (See *Charles Jourdan Holding AG v. AAJM*, WIPO Case No. [D2000-0403](#), [WIPO Overview 3.1](#), section 3.1. 4.).

Further, the Respondent is using the Complainant's trademark JARDILAND also for offering for sale his own products. The Panel finds the Respondent is impersonating the Complainant; this constitutes also evidence of bad faith.

As a consequence of the above, 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 <jardilandeu.com> be transferred to the Complainant.

*/Christos A. Theodoulou/*

**Christos A. Theodoulou**

Sole Panelist

Date: March 17, 2026