

ADMINISTRATIVE PANEL DECISION

Fruit Of The Loom, Inc. v. Nguyễn Văn Lữ
Case No. D2026-0353

1. The Parties

The Complainant is Fruit Of The Loom, Inc., United States of America (“US”), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Nguyễn Văn Lữ, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <russellathleticeurope.com> (the “Disputed Domain Name”) is registered with April Sea Information Technology Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 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 February 6, 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 (Domain Administrator) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 9, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on February 17, 2026.

On February 9, 2026, the Center informed the parties in Vietnamese and English, that the language of the registration agreement for the Disputed Domain Name is Vietnamese. On February 17, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 February 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 11, 2026.

The Center appointed Pham Nghiem Xuan Bac as the sole panelist in this matter on March 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 was founded in 1851 and is now a global underwear and casualwear business. The Complainant is one of the largest manufacturers and marketers of underwear, activewear, casualwear, jeanswear, and childrenswear, employing over 17,000 people across 10 countries, with products sold in more than 80 countries worldwide, and owns the RUSSELL ATHLETIC brand, which is engaged in the manufacture and sale of knitwear, sportswear, athletic apparel, and team uniforms.

The Complainant owns many trademark registrations that consist of or contain the element RUSSELL ATHLETIC (the "RUSSELL ATHLETIC trademark") in a variety of countries, including in Viet Nam, where the Respondent is located, comprising European Union Trademark Registration No. 000451856 in Classes 18, 25, 28 and 35 registered on April 13, 2006; United Kingdom ("UK") Trademark Registration No. UK00001571350 in Classes 18 and 25 registered on October 11, 1996; UK Trademark Registration No. UK00900451856 in Classes 18, 25, 28, and 35 registered on April 13, 2006; US Trademark Registration No. 2591125 in Classes 25 and 28 registered on July 9, 2002; Canada Trademark Registration No. TMA1209387 in Class 10 registered on November 17, 2023; and especially, the R RUSSELL ATHLETIC Viet Nam trademark No.4-0261882-000 registered in class 25 on May 6, 2016.

The Complainant sent a cease-and-desist letter dated November 19, 2025 to the Respondent, however, the Respondent failed to respond.

The Complainant is also the owner of the domain names <russellathletic.com>, <russelleurope.com>, <russellathletic.eu> and <russellathletic.com> which maintain active status.

The Disputed Domain Name was registered on June 30, 2004. At the time of the complaint was submitted and at the date of this Decision, the Disputed Domain Name resolves to an active website which presents itself as a parked page comprising pay-per-click ("PPC") links to third-party websites, many of which relate to the Complainant's business and trademarks.

5. Parties' Contentions

A. Complainant

The Complainant contends that each of the elements specified in paragraph 4(a) of the Policy are satisfied in the present case, as follows:

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark, in which the Complainant have rights.

The Complainant contends that the Disputed Domain Name is confusingly similar to its RUSSELL ATHLETIC trademark. The Complainant submits that the Disputed Domain Name incorporates the RUSSELL ATHLETIC trademark in its entirety.

The Complainant further submits that the addition of the geographical term “europe” does not prevent a finding of confusing similarity. On the contrary, the Complainant argues that such addition is likely to increase confusion by creating the impression that the Disputed Domain Name is associated with a Complainant’s brand and trademark. More specifically, “russellathleticeurope” refers to the Complainant’s European branch, Russell Europe, which announced that it will adopt the globally recognized “Russell Athletic” branding in Europe from 2026, and currently operates under the domain names <russelleurope.com> and <russellathletic.eu>.

The Complainant further submits that the generic Top-Level Domain (“gTLD”) “.com” is a standard registration requirement and should be disregarded when examining confusing similarity under the Policy.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant submits that the Respondent does not own, and has not used in good faith, any trademark rights in the RUSSELL ATHLETIC trademark, nor has the Complainant uncovered any evidence that the Respondent is commonly known by the Disputed Domain Name or by the RUSSELL ATHLETIC trademark.

The Complainant further submits that it has not authorized, licensed, or otherwise permitted the Respondent to use the RUSSELL ATHLETIC trademark in any manner, and that there is no relationship between the Complainant and the Respondent that would give rise to any right or legitimate interest in the Disputed Domain Name.

The Complainant further asserts the Respondent did not register or use the Disputed Domain Name in connection with any bona fide offering of goods or services, nor for any legitimate non-commercial or fair use. Instead, the Disputed Domain Name resolves to a parked page containing PPC links that capitalize on the Complainant’s reputation to generate referral fees from competitors’ products. According to the Complainant, it was the original registrant of the Disputed Domain Name, which was subsequently acquired by the Respondent following an inadvertent lapse. Prior UDRP panels have found that such circumstances may support a finding that the respondent lacks rights or legitimate interests, particularly where the respondent was aware of the complainant’s mark and sought to exploit it.

Moreover, the Respondent’s registration postdates the Complainant’s longstanding trademark registrations and domain name use. By the time of acquisition, the Complainant had established substantial worldwide reputation in its mark, which is wholly incorporated in the Disputed Domain Name. In these circumstances, the Disputed Domain Name carries a high risk of implied affiliation with the Complainant and cannot be considered fair use under section 2.5.1 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”).

(iii) The Disputed Domain Name was registered and is being used in bad faith.

The Complainants submit that the RUSSELL ATHLETIC trademark is well-known globally and that the Respondent knew, or at least should have known, of the Complainants’ rights at the time of registration. The Disputed Domain Name incorporates the Complainant’s distinctive RUSSELL ATHLETIC trademark in its entirety, with the mere addition of the geographical term “europe”, which creates the impression of an official or authorized presence of the Complainant.

The Complainant further contends that the Respondent has failed to respond to its attempts to resolve the dispute amicably prior to the commencement of these proceedings. The Complainant submits that such failure to reply to cease-and-desist communications constitutes an additional indication of bad faith.

The Complainant submits that the Respondent uses the Disputed Domain Name to host a parked page with PPC links. These links such as “Best men’s athletic apparel” and “Buy Russell Athletic Apparel” directly target the Complainant’s core business and trademarks. According to the Complainant, such use is intended

to create a likelihood of confusion among Internet users as to the source, sponsorship, affiliation, or endorsement of the website and the products offered thereon.

The Complainant further contends that, the Respondent has a documented history of bad faith registrations. Records show he has been involved in at least 20 previous UDRP cases where the disputed domains were ordered to be transferred to the rightful trademark owners, proving a systematic pattern of cybersquatting. The Complainant also submits that the Respondent initially used a privacy service to hide his identity, which panels often view as an indicator of bad faith. Furthermore, the Respondent completely ignored multiple cease-and-desist letters sent by the Complainant prior to these proceedings.

With the said arguments, the Complainant requests that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Vietnamese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that (i) the Complainant has no knowledge of Vietnamese and the use of another language than English would impose a burden of cost on the Complainant; (ii) the website under the Disputed Domain Name is in English, suggesting that the Respondent is likely capable of understanding English; and (iii) English is the primary language for international relations and it is one of the working languages of the Center.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview 3.1](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 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.

Despite the insertion the geographical term “europe”, the Panel concludes that this does not prevent a finding of the confusing similarity between the Disputed Domain Name and the Complainant’s trademark, as per the purposes of the Policy. The nature of such additional term may however bear on assessment of the second and third elements. [WIPO Overview 3.1](#), section 1.8.

In addition, the Panel determines that the addition of the gTLD “.com” in the Disputed Domain Name is disregarded, as it is viewed as a technical necessity. [WIPO Overview 3.1](#), section 1.11.1.

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 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.

Paragraph 4(c) of the Policy lists circumstances, in particular but without limitation, which, if found by the Panel to be proved, demonstrate the Respondent’s rights or legitimate interests in the Disputed Domain Name for the purposes of paragraph 4(a)(ii) of the Policy, including:

“(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

Regarding paragraph 4(c)(i) of the Policy, the Panel finds, based on the evidence submitted by the Complainant, that the Respondent was not granted any license, permission, or authorization to register or use the RUSSELL ATHLETIC trademark or the Disputed Domain Name. There is no indication that the Respondent owns any registered or unregistered trademark rights in any jurisdiction corresponding to the designation “RUSSELL ATHLETIC” or to the Disputed Domain Name. Accordingly, the Panel determines that the Respondent has not demonstrated having rights or other legitimate interests in the Disputed Domain Name.

The Panel further finds that the “RUSSELL ATHLETIC” terms is distinctive and has been extensively and continuously used since 1902 as a company name, trademark, and domain name in connection with sportswear, athletic apparel, and related goods worldwide, long before the Respondent acquired the domain name. The Disputed Domain Name reproduces this distinctive designation in its entirety, with the addition of the geographical term “europe”, and is used in connection with a parked page comprising PPC links to third-party websites, many of which relate to the Complainant’s business and trademarks. In the Panel’s view, such use, without any authorization and without any clear and accurate disclaimer of relationship with the Complainant, cannot constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.

Regarding paragraph 4(c)(ii) of the Policy, the Panel finds no evidence demonstrating that the Respondent has been commonly known by the Disputed Domain Name. Although the website associated with the Disputed Domain Name refers to an entity named “russellathleticeurope.com”, the Respondent has not provided any evidence of the existence, legal status, or legitimate business operations of such entity independent from the Complainant’s widely-known RUSSELL ATHLETIC trademark. The mere adoption of a name that closely resembles the Complainants’ trademark does not, in itself, confer rights or legitimate interests on the Respondent.

Regarding paragraph 4(c)(iii) of the Policy, the Panel finds no evidence that the Respondent is making a legitimate noncommercial or fair use of the Disputed Domain Name. On the contrary, the Disputed Domain Name is used for a commercial website that seeks to create an association with the Complainant’s identity, activities, and reputation. The Panel is therefore of the view that the Respondent’s use of the Disputed Domain Name is, more likely than not, intended to capitalize on the goodwill associated with the RUSSELL ATHLETIC trademark.

Based on the foregoing findings, 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, including:

“(i) circumstances indicating that you have registered or you have 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 your documented out-of-pocket costs directly related to the domain name; or

(ii) you have 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 you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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 your website or location or of a product or service on your website or location.”

In the present case, the Panel notes that the Complainant has put forth evidence that the Respondent has registered and used the Disputed Domain Name in bad faith. The Respondent did not formally reply to the Complainant’s contentions and, therefore, did not refute the Complainant’s contentions.

The Panel has considered the Complainant's assertions and evidence concerning the Respondent's registration and use of the Disputed Domain Name. The Panel notes that the Complainant's RUSSELL ATHLETIC trademark has been registered and extensively used in numerous jurisdictions worldwide, including Viet Nam, where the Respondent resides, and Europe, location mentioned in the Disputed Domain Name. In both places, the trademark has acquired a significant recognition in sportswear, athletic apparel, and team uniforms. These trademark rights and their associated reputation clearly predate the registration of the Disputed Domain Name by the Respondent.

The Disputed Domain Name incorporates the Complainant's RUSSELL ATHLETIC trademark in its entirety, with the addition of the geographical term "europe", which is one of typical markets of the Complainant. This term is closely linked and associated with Complainant's brand and trademark only serves to underscore and increase the confusing similarity between the Disputed Domain Name and the Complainant's trademark. Given the distinctiveness of the RUSSELL ATHLETIC trademark and its established use, the Panel finds it implausible that the Respondent registered the Disputed Domain Name without knowledge of the Complainant and its trademark. Rather, the Panel considers that the Respondent deliberately selected the Disputed Domain Name to create an association with the Complainant.

The Panel further observes that the Disputed Domain Name resolves to a parked page comprising "PPC links to third-party websites and for some including the RUSSELL ATHLETIC trademark. Such use is liable to mislead Internet users into believing that the website is operated by, affiliated with, or endorsed by the Complainant.

In these circumstances, the Panel finds that Internet users seeking the Complainant's RUSSELL ATHLETIC products are likely to be diverted to the Respondent's website and to assume a commercial connection with the Complainant. The Panel therefore concludes that, by using the Disputed Domain Name, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of its website and the products offered thereon. This constitutes evidence of bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

In addition, the Panel finds that the Respondent, Nguyễn Văn Lữ, was involved in several cybersquatting UDRP disputes, namely, *Thi Factory S.A. v. Vietnam Domain Privacy Services, Nguyễn Văn Lữ*, WIPO Case No. [D2019-2596](#); *Squarespace, Inc. v. April Sea Information Technology Company Ltd. / Nguyễn Văn Lữ*, WIPO Case No. [D2019-3064](#); *Skyscanner Limited v. Nguyễn Văn Lữ*, WIPO Case No. [D2020-0672](#); *xHamster IP Holdings Ltd v. Nguyễn Văn Lữ*, WIPO Case No. [D2020-3163](#); *CenterPoint Energy, Inc. v. Nguyễn Văn Lữ*, WIPO Case No. [D2020-3300](#); *Hillsong Church Inc. v. Nguyễn Văn Lữ*, WIPO Case No. [D2021-0368](#).

Taking into account all of the above, the Panel finds that the Disputed Domain Name was registered and is being used by the Respondent in bad faith under paragraph 4(b) of the Policy, and the third element under paragraph 4(a) of the Policy is established.

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 <russellathleticeurope.com> be transferred to the Complainant.

/Pham Nghiem Xuan Bac/

Pham Nghiem Xuan Bac

Sole Panelist

Date: March 30, 2026