

ADMINISTRATIVE PANEL DECISION

Century Italia Srl v. web master, Expired domain caught by auction winner.
Maybe for sale on Dynadot Marketplace
Case No. D2026-0385

1. The Parties

The Complainant is Century Italia Srl, Italy, internally represented.

The Respondent is web master, Expired domain caught by auction winner. Maybe for sale on Dynadot Marketplace, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <treacque.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 29, 2026. On January 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 1, 2026, the Registrar transmitted by email to the Center its verification response disclosing additional 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 February 3, 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/amended Complaint on February 4, 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 February 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 16, 2026.

The Center appointed Andrew F. Christie as the sole panelist in this matter on March 23, 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 Complaint provided limited information about the Complainant – solely that it is the owner of European Union Trade Mark No. 019260331 (filed on October 13, 2025, and registered on January 24, 2026) for the individual trademark consisting of the text string “TreAcque” (the “TREACQUE trademark”). The Panel notes that this trademark is registered in respect of lighting goods.

The disputed domain name was registered on October 14, 2025. The Complainant provided an undated screenshot showing that the disputed domain name was listed for sale through “www.spaceship.com” for USD 1,999. As at the date of this Decision, the disputed domain name resolves to what appears to be the same web page, at which the disputed domain name is listed for sale through “www.spaceship.com” for USD 1,999.

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 that the disputed domain name is identical to its TREACQUE trademark. The addition of the generic Top-Level Domain (“gTLD”) “.com” is irrelevant for the purpose of comparison under the Policy.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, on the following grounds. The Respondent is not affiliated with the Complainant, has not been authorized to use the TREACQUE trademark, and is not commonly known by the disputed domain name. The disputed domain name is not used for any bona fide offering of goods or services and appears to be parked and offered for sale.

The Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith, on the following grounds. The Complainant filed its European Union Trade Mark application on October 13, 2025. The Respondent registered the disputed domain name on October 14, 2025, one day after the trademark filing. The disputed domain name is identical to the Complainant’s trademark and has no legitimate use. It has been offered for sale at an inflated price, indicating that it was registered primarily for resale to the trademark owner. This conduct constitutes bad faith registration and use under paragraph 4(b)(i) of the Policy.

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. It is the owner of a trademark registration for the TREACQUE trademark.

The entirety of the word string of the Complainant's trademark is reproduced (in lower case letters) within the disputed domain name. Once the gTLD ".com" is ignored, which is appropriate in this case, the disputed domain name is identical to the Complainant's trademark.

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.

The Respondent is not a licensee of the Complainant, is not otherwise affiliated with the Complainant, and has not been authorized by the Complainant to use its TREACQUE trademark. The Respondent has not provided any evidence that it has been commonly known by, or has made a bona fide use of, the disputed domain name, or that it has, for any other reason, rights or legitimate interests in the disputed domain name. The disputed domain name, identical to the Complainant's trademark, was registered one day after the Complaint filed its trademark application, and was offered for sale. These facts strongly suggest that the Respondent was aware of the Complainant's trademark application, and sought to take advantage of the same. Such is not a bona fide offering of goods or services, and is not a legitimate noncommercial or fair use. Accordingly, such use does not confer on the Respondent rights or legitimate interests in the disputed domain name.

The Complainant has put forward a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, and the Respondent has not rebutted this. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

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 the Respondent registered the disputed domain name one day after the Complainant filed its application to register the TREACQUE trademark (which mark is duly registered) and then offered the disputed domain name for sale at USD 1,999, which—absent evidence to the contrary—is a sum most likely in excess of the Respondent’s out-of-pocket expenses directly related to the disputed domain name. According to paragraph 4(b)(i) of the Policy, that is evidence of registration and use of the disputed domain name in bad faith.

The Panel also observes that the Respondent’s name seeks to imply that the disputed domain name was an expired domain name purchased at an auction. However, the Panel notes that the Whois record for the disputed domain name shows a “Creation Date” of October 14, 2025, with no “Updated Date” that is prior to the filing of the Complaint – which suggests that the disputed domain name is a new registration, and was not obtained in an expired auction.

The Panel also notes that the Respondent has been involved in a number of other UDRP proceedings with adverse decisions against it, including those with similar conduct (e.g., *The Captain's Bakery (Cayman) Limited v. Web Master, Expired domain caught by auction winner. Maybe for sale on Dynadot Marketplace and Domain Administrator, Buy this domain on Dan.com ----*, WIPO Case No. [D2025-5447](#)). The Panel finds that in the circumstances of the case this supports a finding of registration and use of the disputed domain name 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 <treacque.com> be transferred to the Complainant.

/Andrew F. Christie/

Andrew F. Christie

Sole Panelist

Date: April 6, 2026