

ADMINISTRATIVE PANEL DECISION

Brighton and Hove Albion Football Club, Limited (The) v. Tammy Gant
Case No. D2026-0426

1. The Parties

The Complainant is Brighton and Hove Albion Football Club, Limited (The), United Kingdom, represented by Stevens & Bolton LLP, United Kingdom.

The Respondent is Tammy Gant, Hong Kong, China.

2. The Domain Names and Registrar

The disputed domain names <brightonandhovealbionjerseys.com>, <brightonandhovealbionkit.com>, <brightonandhovealbionkits.com>, <brightonandhovealbionshirt.com> are registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 3, 2026. On February 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 4, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on February 4, 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 February 5, 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 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 26, 2026.

The Center appointed Petra Pecar as the sole panelist in this matter on March 6, 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 Brighton and Hove Albion Football Club, Limited (The) (hereinafter: the Complainant), a professional English Premier League football club founded in 1901, operating in the sports and entertainment industry.

The Complainant is the owner of registered marks bearing BRIGHTON & HOVE ALBION, including International Registration No. 1347886 for the word mark BRIGHTON & HOVE ALBION, registered on January 12, 2017, in International Classes 16, 25, 28 and 41, with protection in multiple jurisdictions worldwide, including Australia, and United States of America.

The Complainant operates and owns, among other domain names, the domain name <brightonandhovealbion.com>.

The disputed domain names were registered on June 7, 2024, and, at the time of the Complaint filing, resolved to similar websites prominently displaying the Complainant's mark and purportedly offering the Complainant's products for sale.

The Respondent is a natural person from Hong Kong, China.

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 names.

Notably, the Complainant contends that it is the holder of rights in the mark BRIGHTON & HOVE ALBION and that the name "Brighton & Hove Albion" has acquired significant goodwill and reputation through consistent use since at least 1901. The disputed domain names reproduce the BRIGHTON & HOVE ALBION mark in its entirety, and the addition of descriptive terms such as "jerseys", "kit", "kits", and "shirt" does not prevent a finding of confusing similarity.

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent has not used the domain names for a bona fide offering of goods or services, but rather for the sale of unauthorized and counterfeit products bearing the Complainant's BRIGHTON & HOVE ALBION mark. The Complainant contends that there is no evidence that the Respondent is commonly known by the domain names or that it is making any legitimate noncommercial or fair use of the Complainant's BRIGHTON & HOVE ALBION mark.

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain names and is not making any legitimate noncommercial or fair use of the disputed domain names, and that the disputed domain names were registered and are being used in bad faith to create a likelihood of confusion with the Complainant's BRIGHTON & HOVE ALBION mark and to attract internet users for commercial gain. The Complainant further submits that this conduct forms part of a broader pattern of abusive registrations targeting well-known football clubs and exploiting their reputation.

B. Respondent

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

6. Discussion and Findings

Even if the Respondent did not file a Response to the Complainant's contentions, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant. "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable", as indicated in paragraph 15(a) of the Rules.

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

- (i) the disputed domain names are 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 disputed domain names; and
- (iii) the disputed domain names have been registered and are being used by the Respondent 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 the BRIGHTON & HOVE ALBION mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms "jerseys", "kit", "kits", and "shirt" may bear on assessment of the second and third elements, the Panel finds that the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy ([WIPO Overview 3.1](#), section 1.8).

Furthermore, it is well accepted practice by UDRP panels that a generic Top-Level Domain ("gTLD"), such as ".com", is typically ignored when assessing whether a domain name is identical or confusingly similar to a trademark (see section 1.11 of the [WIPO Overview 3.1](#)). For that reason, the Panel accepts not to take into consideration the gTLD ".com" when assessing confusing similarity of the disputed domain name.

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 names. 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 names such as those enumerated in the Policy or otherwise.

According to the Complainant, the Respondent is not affiliated with or connected to the Complainant in any way, and the Complainant has not granted the Respondent any license or authorization to use or register a domain name incorporating the BRIGHTON & HOVE ALBION mark. The Respondent has failed to respond to the Complaint and has therefore provided no evidence of any rights or legitimate interests in the disputed domain names.

There is no indication that the Respondent has used, or made demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services, that it has been commonly known by the disputed domain names, or that it is making any legitimate noncommercial or fair use of them.

The disputed domain names were previously used for the sale of purported the Complainant’s products at the time of the filing of the Complaint.

Panels have held that the use of a domain name for illegal activity, such as passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. In the present case, the Respondent’s use of the disputed domain names for websites mimicking the Complainant’s website, and purportedly offering the Complainant’s products does not give rise to any rights or legitimate interests.

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’s disputed domain names consist of the BRIGHTON & HOVE ALBION mark, followed by the additional terms “jerseys”, “kit”, “kits”, “shirt” and the gTLD “.com”. The registration of the disputed domain names, which incorporate the Complainant’s BRIGHTON & HOVE ALBION mark, indicate the Respondent’s awareness of the Complainants and their BRIGHTON & HOVE ALBION marks due the fact that the websites associated with the disputed domain names were initially used to purportedly offer goods connected to the Complainant and its football-related activities, thereby demonstrating an intentional attempt to exploit the Complainant’s reputation and goodwill.

Regarding bad faith at the time of registration, the Panel finds that the Respondent was aware of the Complainants’ rights in the BRIGHTON & HOVE ALBION marks when the disputed domain names were registered, given the long-standing and distinctive nature of the BRIGHTON & HOVE ALBION mark in the

field of professional football, its complete incorporation into the disputed domain names without any additional distinguishing element, and the fact that such a precise match is unlikely to be accidental.

The disputed domain names were designed to create a misleading association with the Complainant and its activities, with the Complainant's BRIGHTON & HOVE ALBION mark predating the registration of the disputed domain names by approximately seven years. Consequently, the Panel concludes that the disputed domain names were registered in bad faith.

The Panel further notes that the disputed domain names have been used in a manner intended to create confusion and to exploit the Complainant's reputation for fraudulent purposes. In particular, the confusion arising from the composition of the disputed domain names was reinforced by the overall presentation of the associated websites, which purported to offer goods connected to the Complainant's BRIGHTON & HOVE ALBION mark, thereby misleading Internet users into believing that the websites were operated by, or otherwise affiliated with, the Complainant.

Panels have consistently held that the use of a domain name for illegal activity, including passing off, constitutes bad faith. See [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy.

The disputed domain names at the time of the Decision resolve to inactive error websites. Panels have found that the non-use of a domain name including error website, would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's BRIGHTON & HOVE ALBION mark, and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Furthermore, the fact that the Complainant has previously initiated proceedings against the Respondent reinforces the finding of a pattern of abusive domain name registrations and supports a conclusion of bad faith conduct.

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 names <brightonandhovealbionjerseys.com>, <brightonandhovealbionkit.com>, <brightonandhovealbionkits.com>, and <brightonandhovealbionshirt.com> be transferred to the Complainant.

/Petra Pecar/

Petra Pecar

Sole Panelist

Date: March 20, 2026