

## **ADMINISTRATIVE PANEL DECISION**

Tissot SA (Tissot AG) (Tissot Ltd), Omega SA (Omega AG) (Omega Ltd), Technocorp Holding S.A. (Technocorp Holding A.G.) (Technocorp Holding Ltd), Hamilton International AG (Hamilton International Ltd) (Hamilton International SA), Swatch AG (Swatch Ltd) (Swatch SA) v. tu he  
Case No. D2026-0516

### **1. The Parties**

The Complainants are Tissot SA (Tissot AG) (Tissot Ltd), Omega SA (Omega AG) (Omega Ltd), Technocorp Holding S.A. (Technocorp Holding A.G.) (Technocorp Holding Ltd), Hamilton International AG (Hamilton International Ltd) (Hamilton International SA) and Swatch AG (Swatch Ltd) (Swatch SA), Switzerland, represented internally.

The Respondent is tu he, Algeria.

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

The disputed domain names <balmainus.shop>, <hamiltonusa.shop>, <hamiltonus.shop>, <omegausa.shop>, <omegaus.shop>, <swatchus.shop> and <tissotus.shop> are registered with Spaceship, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 6, 2026. On February 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 9, 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 ("Individual / entity of unknown nature; registrant of Disputed Domains") and contact information in the Complaint. The Center sent an email communication to the Complainants on February 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainants filed an amended Complaint on February 13, 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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 13, 2026.

The Center appointed Rebecca Slater as the sole panelist in this matter on March 20, 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**

Each Complainant is a Swiss company and wholly owned subsidiary of The Swatch Group AG, which employs more than 32,000 people in over 50 countries. Each Complainant is a prominent, long-established watch business with extensive international operations and a trade mark portfolio.

The Complainants hold numerous trade mark registrations for word marks and their corresponding logos, including:

- International Registration No. 532550 for TISSOT word mark (registered December 14, 1988);
- International Registration No. 366650 for OMEGA word mark (registered February 17, 1970);
- European Union Registration No. 003440922 or BALMAIN word mark (registered September 29, 2005);
- International Registration No. 304846 for HAMILTON word mark (registered November 11, 1965); and
- European Union Registration No. 226019 for SWATCH word mark (registered October 2, 1998).

The Complainants promote and sell their goods through official websites including <tissotwatches.com>, <omegawatches.com>, <balmmainwatches.com>, <hamiltonwatch.com>, and <swatch.com>.

The Respondent is apparently located in Algeria. The Respondent did not submit a response, and, consequently, little information is known about the Respondent.

The disputed domain names were registered between June 7, 2025 and June 11, 2025. Six of the disputed domain names resolve to websites offering products bearing the Complainants’ trade marks, using similar layouts, Terms of Service and “About Us” text, and incorporating imagery copied from the Complainants’ official channels. The <balmmainus.shop> disputed domain name does not resolve to an active website.

#### **5. Parties’ Contentions**

##### **A. Complainants**

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainants contend that:

- Consolidation is appropriate for the five complainants and across the seven disputed domain names, given their common corporate ownership and the Respondent’s uniform targeting and registration pattern.
- Each disputed domain name is identical or confusingly similar to a trade mark in which a Complainant has rights, because each disputed domain name incorporates one of the Complainant’s trade marks in its entirety, with only the addition of the geographic terms “us” or “usa”.
- The Respondent has no rights or legitimate interests in the disputed domain names. There is no evidence that the Respondent has been commonly known by the disputed domain names, and no licence, authorisation, or other permission has been granted to use the Complainants’ trade marks. The Respondent

uses the disputed domain names for websites which offer a mix of counterfeit goods bearing the Complainants' trade marks and third party products. This cannot constitute a bona fide offering or fair use. Additionally, the Oki Data criteria are not met, because the sites do not sell only genuine trademarked goods.

- The disputed domain names were registered and are being used in bad faith. The combination of the Complainants' well-known trade marks with "us" or "usa" suggests an affiliation with official United States of America websites for the Complainants. Six of the seven disputed domain names resolve to websites offering counterfeit versions of the Complainants' products, evidencing an intent to attract consumers by creating a likelihood of confusion for commercial gain. There are other UDRP decisions concerning the named Respondent that illustrate a pattern of bad faith registration.

## **B. Respondent**

The Respondent did not reply to the Complainants' contentions.

## **6. Discussion and Findings**

To succeed, the Complainants must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

1. the disputed domain names are identical or confusingly similar to a trade mark or service mark in which the Complainants have rights;
2. the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
3. the disputed domain names have been registered and are being used in bad faith.

The onus of proving these elements is on the Complainants.

### **6.1 Preliminary Issue: Consolidation of Complainants**

The Complaint was filed by five Complainants, who allege that they have a common legal interest in the disputed domain names.

According to section 4.11.1 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"): "In assessing whether a complaint filed by multiple unrelated complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation."

In this case, the Complainants share common corporate ownership and have been subject to a uniform targeting and registration pattern by the Respondent, specifically:

- all the Complainants are subsidiaries of The Swatch Group AG; and
- the disputed domain names were registered within a five-day window in the ".shop" gTLD with the same registrar, following a consistent naming convention, and resolving to substantially similar retail websites (which copy imagery from the Complainants' websites).

The Respondent has not objected to the Complainants' consolidation request. Under the circumstances of the case, the Panel accepts that consolidation is procedurally efficient, fair and equitable to all Parties, and will accept the five Complainants as parties to the proceedings.

## **6.2 Substantive issues**

### **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 relevant trade mark and the corresponding disputed domain name. WIPO Overview, section 1.7.

The Complainants have shown rights in respect of trade marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that each of the relevant trade marks is recognizable within the corresponding disputed domain name. Accordingly, the disputed domain names are confusingly similar to the Complainants' trade marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "us" or "usa") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the trade marks for the purposes of the Policy. [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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainants' 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.

The Panel notes that the composition of the disputed domain names carries a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1. The Complainants have not authorized the Respondent to use the Complainants' trade marks and there is no evidence that the Respondent has ever been commonly known by the disputed domain names.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Having reviewed the record, the Panel finds the Respondents' registration and use of the disputed domain names constitute bad faith under the Policy.

The Panel finds it highly unlikely that the disputed domain names were registered without knowledge of the Complainants and their trade marks, given the significant worldwide reputation of the Complainants and the composition of the disputed domain names. The Respondent's goal in registering and using the disputed domain names appears, on the balance of probabilities, to be to attract Internet users by taking unfair advantage of the Complainants' well-known trade marks for potential gain. This finding is reinforced by the Respondent's use of six of the seven disputed domain names to host websites which offer products bearing the Complainants' trade marks, and incorporate imagery copied from the Complainants' official channels. This amounts to "opportunistic bad faith" under the Policy.

In relation to the <balmainus.shop> disputed domain name (which does not resolve to an active website), UDRP panels have found that the non-use of a domain name 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. In light of the significant worldwide reputation of the BALMAIN trade mark, the implausibility of any good faith use to which the domain name may be put, and the composition of the disputed domain name, the Panel finds that in the circumstances of this case the passive holding of the <balmainus.shop> disputed domain name does not prevent a finding of bad faith under the Policy.

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 <balmainus.shop>, <hamiltonusa.shop>, <hamiltonus.shop>, <omegausa.shop>, <omegaus.shop>, <swatchus.shop> and <tissotus.shop> be transferred to the Complainants.

*/Rebecca Slater/*

**Rebecca Slater**

Sole Panelist

Date: March 24, 2026