

ADMINISTRATIVE PANEL DECISION

United States Polo Association (USPA) v. Ms. Khadija Sadiq
Case No. D2026-1066

1. The Parties

The Complainant is United States Polo Association (USPA), United States of America ("United States"), represented by PETOŠEVIĆ, Ukraine.

The Respondent is Ms. Khadija Sadiq, Saudi Arabia.

2. The Domain Name and Registrar

The disputed domain name <ukpoloassn.com> is registered with IONOS SE (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 12, 2026. On March 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 13, 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 (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 13, 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 March 18, 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 March 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2026. The Response was filed with the Center on April 7, 2026.

The Center appointed Edoardo Fano as the sole panelist in this matter on April 8, 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.

The Panel has not received any requests from the Complainant or the Respondent regarding further submissions, waivers, or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is United States Polo Association (USPA), founded in 1890 and widely recognized as the governing body for the sport of polo in the United States and overseas, also owning a global retail chain of at least 1100 outlets and also numerous online stores, manufacturing and promoting the ready-to-wear fashion brand, and owning several trademark registrations for U.S. POLO ASSN., among which:

- United States Trademark Registration No. 2,991,639 U.S. POLO ASSN. SINCE 1890 and design, registered on September 6, 2005;
- United States Trademark Registration No. 5,568,982 U.S. POLO ASSN. and design, registered on September 25, 2018;
- United Kingdom Trademark Registration No. UK00909733361 U.S. POLO ASSN. SINCE 1890 and design, registered on July 18, 2011;
- United Kingdom Trademark Registration No. UK00917894096 U.S. POLO ASSN. and design, registered on September 11, 2018.

The Complainant also operates on the Internet, owning an extensive portfolio of domain names incorporating the U.S. POLO ASSN. trademark, including <uspoloassn.com>, registered on March 14, 2003, and <uspoloassn.co.uk>, registered on August 21, 2006.

The Complainant provided evidence in support of the above.

According to the Whois records, the disputed domain name was registered on February 26, 2025, and it currently resolves to an error page. However, before the Complaint was filed, the disputed domain name resolved to a commercial website reproducing substantial parts of the Complainant's official website.

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 states that the disputed domain name is confusingly similar to its trademark U.S. POLO ASSN., as the disputed domain name incorporates the dominant and distinctive textual elements of the Complainant's mark, namely "poloassn".

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name since it has not been authorized by the Complainant to register the disputed domain name or to use its trademark within the disputed domain name, it is not commonly known by the disputed domain name, and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name. The disputed domain name was used to resolve to a website in which apparel goods were offered for sale imitating the Complainant's website.

The Complainant submits that the Respondent has registered and used the disputed domain name in bad faith, since the Complainant's trademark U.S. POLO ASSN. is well-known in the field of apparel and related goods. Therefore, the Respondent targeted the Complainant's trademark at the time of registration of the disputed domain name and the Complainant contends that the current passive holding of the disputed domain name qualifies as bad faith registration and use.

B. Respondent

The Respondent declares not to be involved in the use of the disputed domain name prior to its acquisition on February 26, 2025.

The Respondent asserts that the disputed domain name has been registered with the intent to use it in relation to a website providing news and information about the "Game of Polo" (a generic sporting term) specifically within the United Kingdom market, developing merchandise under the name "UK POLO", which focuses on a boutique, luxury aesthetic.

The Respondent submits that the use of "UK" has been chosen as a geographical descriptor for the British market and is not intended to create confusion with the Complainant's "U.S." focused branding.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

- (i) the disputed domain name is 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 name; and
- (iii) the disputed domain name has been registered and is being used 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.

Based on the available record, the Panel finds 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 Panel finds the mark is recognizable 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.

While the addition of other terms, here “uk”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The disputed domain name equally can be seen as consisting of a typo variation of the Complainant's U.S. POLO ASSN. mark (and corresponding domain name) which is confusingly similar to the Complainant's mark. [WIPO Overview 3.1](#), section 1.9.

It is also well-accepted that a generic Top-Level Domain, in this case “.com”, is typically ignored when assessing the similarity between a trademark and a domain name. [WIPO Overview 3.1](#), section 1.11.1.

Based on the available record, 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.

While 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 often impossible 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 Complainant in its Complaint, and as set out above, has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. It asserts that the Respondent, who is not currently associated with the Complainant in any way, is not using the disputed domain name for a legitimate noncommercial or fair use or in connection with a bona fide offering of goods or services.

The prima facie case presented by the Complainant is enough to shift the burden of production to the Respondent to demonstrate that it has rights or legitimate interests in the disputed domain name. However, the Respondent has not presented any consistent evidence of any rights or legitimate interests it may have in the disputed domain name. While the Respondent alleges that its website at the disputed domain name will be used for “providing news and information” about the Game of Polo as well as merchandise, in the Response and its annexes, the Panel is not able to find consistent evidence of the Respondent's investment in a website development or promotional materials such as advertising and genuine business plan utilizing the disputed domain name, and credible signs of pursuit of the business plan that would not capitalize on the Complainant's mark and reputation. [WIPO Overview 3.1](#), section 2.2. The Panel notes that the Respondent in its Response bases its alleged demonstrable preparations to use the disputed domain name upon its “engage[ment] in brand asset development”, and refers to “Exhibit R-3: Packaging/Brand Designs” as proof. However, the Panel observes that no exhibit under such name was submitted with the Response; the Respondent submitted, under the name “Brand_Tag”, a picture of a product label bearing a logo in the shape of a polo player silhouette with the phrase “UK POLO SINCE 2025”, which the Panel infers corresponds to the said “Exhibit R-3”. In any case, the Panel finds that this submission is not sufficient to prove the Respondent's demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services, also given that such branding is not evidently “distinct from the Complainant's trademarked logos” as asserted by the Respondent.

In the present case, the Panel finds that, although not identical to the Complainant's trademark, the composition of the disputed domain name (incorporating the distinctive elements of the Complainant's trademark, namely "polo" and "assn", with the use of the term "uk", referring to the United Kingdom, a country in which the Complainant's trademark is registered and a slight variation on the Complainant's mark and its website "www.uspoloassn.co.uk") carries a risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

Based on the available record, 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, regarding the registration in bad faith of the disputed domain name, the reputation of the Complainant's trademark U.S. POLO ASSN. in the field of apparel and related goods is clearly established, and the Panel finds that the Respondent must have known of the Complainant, and deliberately registered the disputed domain name in bad faith, especially because the disputed domain name incorporates the distinctive elements of the Complainant's trademark, namely "polo" and "assn" and is a variation of the U.S. POLO ASSN. mark that clearly seeks to cause and benefit from confusion by invoking the reputation of the Complainant.

As regards the use of the disputed domain name, the Panel notes that the Respondent asserts it is not involved in the previous use of the disputed domain name but only in its current use, resolving to an error page.

To be clear, the Panel does not base its decision on any prior use of the disputed domain name by a third party; plainly however, the acquisition of the disputed domain name by the Respondent seeks to take unfair advantage of the Complainant's mark and reputation. See also [WIPO Overview 3.1](#), section 3.1.4.

In any event, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the record, the Panel notes the distinctiveness and reputation of the Complainant's trademark in the field of apparel and related goods, the composition of the disputed domain name, and the failure of the Respondent to provide consistent evidence of actual or contemplated good-faith use that would not seek to capitalize on the Complainant's mark, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Furthermore, the Panel considers that the nature of the inherently misleading disputed domain name, which incorporates the distinctive elements of the Complainant's trademark, namely "polo" and "assn", with the addition of the term "uk", referring to the United Kingdom, a country in which the Complainant's trademark is registered and the Complainant is carrying out its business activity at its website "www.uspoloassn.co.uk", further supports a finding of bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Based on the available record, the Panel finds the third element of the Policy has been 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, <ukpoloassn.com>, be transferred to the Complainant.

/Edoardo Fano/

Edoardo Fano

Sole Panelist

Date: April 21, 2026