

ADMINISTRATIVE PANEL DECISION

Footasylum Limited v. Dania Zahid
Case No. D2026-1123

1. The Parties

The Complainant is Footasylum Limited, United Kingdom, represented by Konexo, Eversheds Sutherland (International) LLP, United Kingdom.

The Respondent is Dania Zahid, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <alpyrex.com> is registered with Nicenic International Group Co., Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 16, 2026. On March 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 18, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 23, 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 24, 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 21, 2026.

The Center appointed Christiane Féral-Schuhl as the sole panelist in this matter on May 4, 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 a United Kingdom corporation, that operates in the business of fashion streetwear and sportswear.

The Complainant is the owner of several trademarks (the “ALPYREX Trademarks”) including the following:

- the United Kingdom wordmark ALPYREX, No UK00003566840, registered on May 14, 2021, for products in classes 9, 18, 25, and 35;
- the United States wordmark ALPYREX, No 7369597, registered on April 30, 2024, for products in classes 9, 18, 25, and 35;
- the European wordmark ALPYREX, No 1700152, registered on May 30, 2022, for products in classes 9, 18, 25, and 35.

The ALPYREX branded products are delivered to around 39 countries around the world through the Complainant’s website.

The disputed domain name was registered on October 4, 2025, and, at the time the Complaint was filed, resolves to a website which had been copied in part from the Complainant’s website, reproducing the ALPYREX Trademarks and the Complainant’s products for sale. At the date of the decision, the disputed domain name is not active anymore.

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 contends that the disputed domain name is confusingly similar to ALPYREX Trademarks, as it incorporates the trademark in its entirety, adding the letter “X” at the end, which is not sufficient to distinguish the disputed domain name from the Complainant’s trademarks.

The Complainant further submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant submits that the disputed domain name is not used in connection with a bona fide offering of goods and services and is neither used for legitimate non-commercial or fair purposes as the website to which the disputed domain name resolved was largely copied from the Complainant’s website for the Respondent’s own financial gain. The Complainant also notes that the Respondent is not commonly known by the disputed domain name as ALPYREX is an arbitrary word, with no meaning.

Finally, the Complainant states that the disputed domain name was registered in bad faith, at a time the Complainant had substantial rights in the ALPYREX Trademarks. The Complainant states that in view of the use of the disputed domain name, it is clear that the disputed domain name was registered to intentionally attract for commercial gain, internet users to the website, by creating a likelihood of confusion with the Complainant’s ALPYREX Trademarks as to the source. The Complainant further submits that the disputed domain name is being used in bad faith. In particular, the Complainant contends that the disputed domain

name is used for fraudulent purposes, to intentionally deceive members of the public who would mistakenly consider that the infringing website was operated by the Complainant.

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.

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.

Although the addition of other terms here, the letter "x" may bear on assessment of the second and third elements, the Panel finds the addition of such letter does not prevent a finding of confusing similarity between the disputed domain name and the mark 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 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.

Indeed, it appears that the disputed domain name is not used in connection with a bona fide offering of goods and services and is neither used for legitimate noncommercial or fair purposes as the website to which the disputed domain name resolved was largely copied from the Complainant's website.

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 has registered the disputed domain name well after the registration of the ALPYREX Trademarks and that, regarding the composition of the disputed domain name and the content of the website to which the disputed domain name resolved, which impersonate the Complainant's website, reproducing ALPYREX Trademarks and contents, the Panel considers that the Respondent has the ALPYREX Trademarks in mind when registering the disputed domain name.

Furthermore, such a registration and use of the disputed domain name constitutes bad faith under the Policy, considering that it carries a risk of implied affiliation and confusion with the Complainant's trademark. 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.

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. Having reviewed the available record, the Panel notes the distinctiveness of ALPYREX Trademarks, and the (added letter/typo) composition of the disputed domain name, 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.

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 <alpyrex.com> be transferred to the Complainant.

/Christiane Féral-Schuhl/

Christiane Féral-Schuhl

Sole Panelist

Date: May 18, 2026