

ADMINISTRATIVE PANEL DECISION

Gazela Family Doo Beograd-Novi Beograd v. Nikola Nadlacki, Obuća Gazela DOO

Case No. D2026-1271

1. The Parties

The Complainant is Gazela Family Doo Beograd-Novi Beograd, Serbia, represented by VP-IP Zatezalo Krnetić & Partners doo, Serbia.

The Respondent is Nikola Nadlacki, Obuća Gazela DOO, Serbia, represented by Zeljko Kočić, Serbia.

2. The Domain Name and Registrar

The disputed domain name <koznaobucagazela.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 25, 2026. On March 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 25, 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 26, 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 27, 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 April 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2026. The Response was filed with the Center on April 27, 2026.

The Center appointed Stefan Bojovic as the sole panelist in this matter on April 30, 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 company, based in Belgrade, Serbia and is a retailer of footwear and leather goods. The Complainant was established in 2019, but it claims continuity with the entrepreneur STR ZA PROMET ROBE NA MALO I KOMISIONU PRODAJU GAZELA that used the name GAZELA in the course of trade since 1994. STR ZA PROMET ROBE NA MALO I KOMISIONU PRODAJU GAZELA has transferred the GAZELA trademark to the Complainant. Apart from physical store in Belgrade (in municipality of New Belgrade), the Complainant also operates physical stores in Surčin (municipality of Belgrade) and Novi Sad and the online store on the domain name <obucagazela.rs>.

The Complainant is the holder of the Serbian trademark registration No. 69232 for GAZELA (word/device), registered on June 1, 2015.

The Complainant also owns domain names reflecting its GAZELA trademark. In particular, the Complainant is the registrant of the domain names <obucagazela.com>, registered on April 21, 2008 and <obucagazela.rs>, registered on November 15, 2014.

The Respondent is also Serbian company, based in Zrenjanin and, like the Complainant, is a retailer of footwear and leather goods. The Respondent is established in 2007. According to communication between the Parties that occurred prior to commencement of the present proceedings, the Respondent claimed that it started using the term "GAZELA" since 2003, while doing business as an entrepreneur under the name "SAMOSTALNA TRGOVINSKO KOMISIONA RADNJA SA POSREDOVANJEM U PRODAJI GAZELA". The Respondent operates the physical store in Zrenjanin. The Respondent also operates an online store on the disputed domain name.

The disputed domain name is registered on May 16, 2024 and resolves to online store of the Respondent offering footwear and leather goods (such as bags, wallets and shoes).

After the registration of the disputed domain name, the Complainant sent two cease-and-desist letters to the Respondent (in 2024 and 2025). Through these letters, the Complainant has informed the Respondent, inter alia, that the registration of the disputed domain name represents blatant infringement of its GAZELA trademark and required cessation of use of the disputed domain name. The Respondent responded to both cease-and-desist letters negating that the registration and use of the disputed domain name infringe upon the Complainant's rights, since the same represents the extension of the Respondent's company name that is in use since 2003 (first as an entrepreneur, and since 2007 as the current company of the Respondent). The Respondent has also indicated that the Complainant is actually using the Respondent's business name. Upon receipt of the first cease-and-desist letter in 2024, the Respondent filed unfair competition lawsuit against the Complainant before the Commercial Court in Belgrade. At the time of this Decision, the litigation is still pending. Additionally, upon the receipt of the first cease-and-desist letter from the Complainant, the Respondent also filed the trademark application in Serbia for a word/device trademark GAZELA KOŽNA OBUĆA ("leather footwear gazelle" in Serbian). This trademark application was ultimately rejected by Serbian Intellectual Property Office due to similarity with the prior trademark of the Complainant.

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 contains its GAZELA trademark in its entirety in combination with descriptive words “kožna” (meaning “leather” in Serbian) and “obuća” (meaning “footwear” in Serbian) and for that reason it should be perceived as confusingly similar to the Complainant’s trademark. Additionally, the Complainant argues that the generic Top-Level Domain (“gTLD”) “.com” is a standard registration requirement and as such is disregarded under the first element confusing similarity test. The complainant further argues that, while the content of the website associated with a disputed domain name is usually disregarded by panels when assessing confusing similarity under the first element, in some instances, panels have taken note of the content of the website associated with a domain name to confirm confusing similarity whereby it appears prima facie that the respondent has sought to target a trademark through the disputed domain name.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent is not affiliated with the Complainant in any way, nor has it been authorized by the Complainant to use and register its trademark, or to seek registration of any domain name incorporating its GAZELA trademark. The Respondent has no rights to or legitimate interests in the disputed domain name because there is no evidence of the Respondent’s previous use of the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services, nor is there evidence the Respondent has ever been commonly known under the name GAZELA. The Complainant is the only entity with rights to exploit the trademark, and has not authorized, licensed or otherwise permitted the Respondent to use it. The Complainant emphasizes that, according to publicly available data, the Respondent has registered a company called “OBUĆA GAZELA DOO ZRENJANIN” (“FOOTWEAR GAZELA LTD ZRENJANIN”) in 2007 in Serbia, but underlines that this does not prove any legitimate interest in the disputed domain name, because the Complainant uses the name “GAZELA” in the course of trade since 1994 and because the Respondent needs to demonstrate its use of, or 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 and services, which is not the case. The absence of any rights or legitimate interests is further evidenced by the fact that the Respondent registered the disputed domain name nearly 10 years after the Complainant registered GAZELA trademark and almost 20 years after registering its company “OBUĆA GAZELA DOO ZRENJANIN”. This timing strongly indicates that the Respondent was aware of the Complainant’s long-established business and registered the disputed domain name with the intention of targeting and disrupting it.

With reference to the circumstances evidencing bad faith, the Complainant indicates that the Respondent was fully aware of the Complainant’s GAZELA trademark at the time of registration of the disputed domain name. The Complainant has sent two cease-and-desist letters to the Respondent in 2024 and 2025. The Respondent replied to those letters, but expressly refused to cease use of the disputed domain name. According to the Complainant, such correspondence clearly demonstrates the Respondent’s actual knowledge of the Complainant’s trademark rights. The bad faith registration of the disputed domain name is further supported by the fact that, although having the company named “OBUĆA GAZELA DOO ZRENJANIN” registered in 2007, the Respondent registered the disputed domain name almost 20 years (in 2024) after registering its company and after the Complainant has already registered both GAZELA trademark (in 2015) and corresponding domain names <obucagazela.com> and <obucagazela.rs> (in 2008 and 2014 respectively). Given the Complainant’s longstanding commercial activities and established reputation in the relevant market, the Respondent either knew or, at the very least, should have known that incorporating the Complainant’s trademark in its entirety within the disputed domain name would create a likelihood of confusion and disrupt the Complainant’s business operations. This conclusion is further supported by the Complainant’s established reputation, as evidenced by Google Analytics data. The statistics demonstrate that the Complainant does not rely on paid advertising to attract Internet traffic. Instead, users deliberately enter the Complainant’s website address or search for the Complainant by name, reflecting longstanding market recognition, reputation, and consumer trust. Such evidence confirms that the Complainant enjoys significant goodwill in its trademark and that Internet users actively seek out the Complainant’s business.

Regarding the use of the disputed domain name in bad faith, the Complainant contends that after registering the disputed domain name, the Respondent started using it to sell the competing products which proves clear intention to attract, for commercial gain, Internet users to the website by creating likelihood of confusion with the Complainant's mark as to the source, affiliation or endorsement of its website and the services provided therein, which is evidenced by choosing the confusingly similar domain name alongside the content of the website to which it resolves. Moreover, the products displayed on the Respondent's website are presented in a manner that closely resembles the presentation of the Complainant's goods. Even the photographs of the footwear are displayed in a way that may easily lead consumers to believe that the goods originate from, or are affiliated with, the Complainant. This deliberate visual similarity further increases the likelihood of confusion and reinforces the finding of bad faith use.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

Although the Respondent does not dispute that the word "gazela" is contained in the Complainant's trademark, it argues that protection cannot be extended to the word "gazela" itself, which is a generic term, meaning gazelle (an animal) in Serbian language. Further, the Complainant's trademark is a combined word/device trademark and as such does not necessarily enjoy protection on the verbal element alone.

Regarding the rights and legitimate interest, the Respondent indicates that the disputed domain name is used in connection with real and legitimate offer of goods, i.e. sale of footwear, which is a legitimate business. The Respondent has been operating under the business name "OBUĆA GAZELA DOO ZRENJANIN" since 2007. The Respondent further emphasizes that the disputed domain name is logical and natural continuation of its business name, with addition of the descriptive term "leather" that directly describes the goods that the Respondent is offering. In accordance with the UDRP practice, it is not necessary for the Respondent to possess a registered trademark in order to prove a legitimate interest, but it is sufficient that is commonly known by certain name. In this particular case, the disputed domain name corresponds to the Respondent's registered business name, that has been used independently of the disputed domain name since 2007. The Respondent also adds that its company name predates the Complainant's trademark, which additionally confirms the legitimate interests on its side. The Respondent contends that it does not use the disputed domain name with the intent to mislead consumers or impersonate the Complainant, having in mind that it refers to the goods that the Respondent actually sells.

Regarding the registration and use of the disputed domain name in bad faith, the Respondent argues that the registration of the disputed domain name occurred in 2024 as a natural and logical continuation of the Respondent's business name "OBUĆA GAZELA DOO ZRENJANIN" used since 2007. The Respondent underlines that registration of the disputed domain name was not an attempt to exploit the Complainant's rights and that it was not even aware of the Complainant's rights until it was contacted by the Complainant in 2024, after the registration of the disputed domain name. The word GAZELA ("gazelle" in Serbian) is a general term used by the Respondent since 2007 and the other terms in the disputed domain name "kožna" and "obuća" ("leather" and "footwear" in Serbian) have descriptive character and refer to the goods offered by the Respondent. The disputed domain name is used for the actual sale of goods within the Respondent's regular business and there is no evidence that the Respondent misrepresents its business as affiliated with the Complainant, misleads the consumers as to its identity, or uses the disputed domain name to redirect users to competing or misleading content. Rather, the disputed domain name is used as a part of the Respondent's legitimate business and is in function of actual business activity.

6. Discussion and Findings

According to paragraph 15(a) of the Rules: “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.” Paragraph 4(a) of the Policy stipulates that the Complainant must prove each of the following:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) that the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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.

The Complainant’s GAZELA trademark is word/device mark that consists of verbal element GAZELA and stylized depiction of gazelle. Panel assessment of identity or confusing similarity involves comparing the (alpha-numeric) domain name and the textual components of the relevant trademark. To the extent that design (or figurative/stylized) elements would be incapable of representation in domain names, these elements are largely disregarded for purposes of assessing identity or confusing similarity under the first element. Such design elements may be taken into account in limited circumstances e.g., when the domain name comprises a spelled-out form of the relevant design element. [WIPO Overview 3.1](#), section 1.10.

The Panel, therefore, finds that the verbal element GAZELA is the dominant textual component of the Complainant’s mark and is sufficient to establish standing under the first element and that 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 verbal element of the Complainant’s GAZELA trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant’s trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, “kozna” and “obuca” (meaning “leather” and “footwear” in Serbian) 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 name and the Complainant’s trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

In addition, it is well established that “.com”, as a gTLD, is disregarded in the assessment of the confusing similarity between the disputed domain name and the trademark. [WIPO Overview 3.1](#), section 1.11.1.

The Panel, therefore, finds that 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.

In the case at hand, the Respondent did provide a Response, rebutting the Complainant’s arguments and providing relevant evidence demonstrating rights or legitimate interests in the disputed domain name.

Both parties are in footwear retail business, and in accordance with the evidence available to the Panel, it seems that they operate within narrow geographical areas in Serbia. In particular, the Complainant operates physical stores in Belgrade, Surčin (municipality of Belgrade) and Novi Sad, while the Respondent operates the physical store in Zrenjanin (small town in Northern Serbia in the province of Vojvodina). Both parties also operate online stores, the Complainant with domain name <obucagazela.com> since 2008 and the Respondent with the disputed domain name since 2024.

The chronology of this case may look somewhat complex, having in mind that both the Complainant and the Respondent initially started their business operations in form of entrepreneurs, and later continued conducting business in the form of limited liability companies. Additionally, the time of registration of the disputed domain name, the moment when the Complainant has obtained trademark rights and the time of registration of the Complainant’s domain names comprising the term GAZELA, all fall within this complex chronology. There also seems to be a question of competing rights between the Parties, since both Parties use the term GAZELA (“gazelle” in Serbian) as a part of their business names for a long period of time.

However, the important facts within the timeline that should be particularly considered are that the Respondent uses the term GAZELA as a part of its company name since 2007 (and has also used this term as a part of its business name as an entrepreneur between 2003 and 2007), that the Complainant registered the first domain name containing the word GAZELA in 2008 and obtained rights in GAZELA trademark in 2015. The disputed domain name was registered in 2024. The Panel notes the Complainant’s claim that it initially registered a business entity under the name “STR GAZELA” in 1994 for the purpose of selling leather footwear and does not consider that this circumstance, in itself, is sufficient to negate the Respondent’s rights or legitimate interests under the second element of the Policy. This is further evidenced by the fact that the evidence on record suggests that the Respondent independently operated a genuine footwear business under the name “OBUĆA GAZELA” for many years prior to the registration of the disputed domain name. The Panel’s findings under the third element reinforce this conclusion.

The full name of the Respondent’s company is “OBUĆA GAZELA DOO ZRENJANIN”. It is important to emphasize that under the Serbian company law both legal form of the company (in this case “doo”, which stands for “društvo sa ograničenom odgovornošću” meaning “limited liability company” in Serbian) and place of company’s seat (Zrenjanin, a small town in Northern Serbia) are mandatory elements of a company name. In that sense, the portion “OBUĆA GAZELA” (“footwear gazelle” in Serbian) should be understood as the main part of the company name in which the Respondent has rights. In accordance with publicly available information from Serbian business registry¹, the Respondent did not make any changes in its business name since the establishment of the company, meaning that it uses the name “OBUĆA GAZELA” in the course of trade since, at least, June 2007.

¹ The Panel undertook limited factual research into matters of public record in accordance with general powers granted to the Panel under paragraphs 10 and 12 of the Rules ([WIPO Overview 3.1](#), section 4.8) in order to confirm the continuity in use of the Respondent’s company name since its establishment in 2007.

The timing of the registration of the disputed domain name cannot per se indicate lack of rights or legitimate interest as suggested by the Complainant. Namely, the Complainant indicates that the Respondent, despite the fact that owns a company under the name "OBUĆA GAZELA DOO ZRENJANIN" since 2007, has registered the disputed domain name almost 20 years after the establishment of this company and years after the Complainant has secured trademark registration in Serbia (in 2015, with filing date in 2014) and registration of corresponding domain names <obucagazela.com> and <obucagazela.rs> (in 2008 and 2014 respectively).

In Panel's view, the fact that there is a significant temporal gap between establishing company name rights and registration of the disputed domain name generally corresponding to such company name does not indicate lack of rights or legitimate interests. According to the information provided by the Parties, the Respondent operates small physical footwear store and it is not uncommon that such business establishments in Serbia operate without Internet presentation for a longer period of time. The Panel finds the Respondent's explanation plausible that the registration of the disputed domain name was made as a logical and natural extension of the Respondent's business name and finds that such explanation is in line with all evidence in the case file (including the evidence submitted by the Complainant which shows that the Respondent operates a small physical store in town of Zrenjanin). Having in mind the above, the Panel does not consider the late registration of the disputed domain name, in itself, inconsistent with bona fide use, particularly having regard to the nature and scale of the Respondent's business.

It should be also taken into account that the Second-Level Domain ("SLD") of the disputed domain name consists of three words that form the phrase "kožna obuća gazela" ("leather footwear gazelle" in Serbian) and two out of three words in this phrase are actually part of business name of the Respondent, while the word "kožna" ("leather" in Serbian) is merely a descriptive word. In that sense, the disputed domain name should be considered to correspond to the Respondent's company name, used by the Respondent since at least 2007. The Panel, therefore, finds that the Respondent has been commonly known by a name correspondent to the disputed domain name. [WIPO Overview 3.1](#), section 2.3.

The Panel also finds that, before notice to the Respondent of the dispute, the Respondent used the disputed domain name and, in particular, a name correspondent to the disputed domain name in connection with a bona fide offering of goods. [WIPO Overview 3.1](#), section 2.2.

Having in mind the above, the Panel finds the second element of the Policy has not 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 in mind that the Complainant was not successful in establishing the second URDP element, it is not necessary for the Panel to address the third UDRP element. However, for the sake of completeness, the Panel will briefly address the key findings related to this element.

The disputed domain name was registered in 2024 and based on the available evidence, it cannot be confirmed on a balance of probabilities that the Respondent was aware of the Complainant at the time of the registration of the disputed domain name. The Respondent may have become aware of the Complainant only after receiving cease-and-desist letter in 2024 upon which the Respondent has taken active approach by filing an unfair competition lawsuit against the Complainant before the Commercial court in Belgrade.

Contrary to the Complainant's arguments that the Respondent was aware of the Complainant's GAZELA trademark at the time of registration of the disputed domain name and that the Complainant therefore sent two cease-and-desist letters in November 2024 and August 2025, after the registration of the disputed domain name, it seems more likely that the Respondent became aware of the Complainant and its trademark upon receipt of such cease-and-desist letters and not at the time of registration of the disputed domain name.

Although both Parties are located in Serbia, their businesses seem to cover more narrow geographical areas within Serbia, and in that sense, the Panel cannot exclude the possibility that the Parties conducted their business for years being unaware of each other.

In accordance with the rules on burden of proof under the Policy and Rules and in the absence of sufficiently persuasive evidence that the Respondent was targeting the Complainant, the Panel is unable to conclude that the disputed domain name was registered in bad faith.

Regarding the use of the disputed domain name in bad faith, the Panel further notes that the disputed domain name is used for an online footwear and leather goods store, which is in line with the Respondent's registered business activity. The Panel took into account the Complainant's allegation that the website to which the disputed domain name resolves is a copycat version of the Complainant's official website, but the Panel is of the opinion that although there are some similarities between these websites, they are not of the extent that the website on the disputed domain name could be considered a copy of the Complainant's website. Layouts of these websites are overall dissimilar and commonalities likely derive from the fact that both websites serve the same purpose, i.e. online retail of footwear and therefore, some overlapping in way the offers are presented is not unusual and unexpected.

The evidence on record does not indicate that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's trademark.

The Panel also takes a note that there is a wider dispute between the Parties that includes unfair competition, trademark infringement and competing rights in the term "Gazela" and underlines that findings in these proceedings are made in respect to the specific requirements under the Policy and that such findings by no means should be prejudicial to any ongoing or future dispute between the Parties in the competent forums in Serbia. On the contrary, the findings in these proceedings are limited to the question of the disputed domain name under the Policy and the elements set therein and should not be understood to influence any other findings of competent courts regarding the trademark infringement, competing rights or unfair competition, as these are the questions that are outside of the scope of the Policy.

The Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Stefan Bojovic/

Stefan Bojovic

Sole Panelist

Date: May 14, 2026