

## **ADMINISTRATIVE PANEL DECISION**

**Barnes Europe Consulting Kft. and Heidi Barnes-Watson v. Yassine Mourchid**  
**Case No. D2026-1426**

### **1. The Parties**

The Complainants are Barnes Europe Consulting Kft., Hungary and Heidi Barnes-Watson, United States of America represented by MIIP MADE IN IP, France.

The Respondent is Yassine Mourchid, Morocco.

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

The disputed domain name <barnesquebec.com> is registered with Unstoppable Domains Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 2, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 7, 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 (Domain Registrant, Unstoppable Privacy Service LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 9, 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 April 10, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 10, 2026.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on May 16, 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**

There are two Complainants in this administrative proceeding: Barnes Europe Consulting Kft. and Ms. Heidi Barnes-Watson. The earlier trademarks on which this Complaint is based are under the joint ownership of the Complainants.

The Complainants are real estate agents for high-end properties in a number of regions, including in Europe, the United States of America, and Canada.

The Complainants are joint owners, inter alia, of the following trademarks:

United Kingdom trademark registration number UK00801114909 for the BARNES (word) trademark, registered on March 26, 2013;

International trademark registration number 1114909 for the BARNES (word) trademark, registered on March 13, 2012; and

French trademark registration number 3861673 for the BARNES (word) trademark, registered on January 20, 2012.

The Complainants also own several domain names, including: <barnes-international.com> (registered on July 25, 2007), <barnes-newyork.com> (registered on September 8, 2011), <barnes-london.com> (registered on July 25, 2007) and <barnes-quebec.com> (registered on December 15, 2016).

The Complainants' trademarks and domain names were all registered prior to the disputed domain name.

Previous panels at the WIPO have already recognized the well-known nature of the Complainants' BARNES trademark.

The disputed domain name was registered on February 13, 2026. At the time of this Decision the disputed domain name resolves to a GoDaddy page where it is indicated as being for sale for USD 210. From the submissions of the Complainants, it appears that the disputed domain name is configured to send and receive emails.

#### **5. Parties' Contentions**

##### **A. Complainant**

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

Notably, the Complainants contend that the addition of the geographic term "quebec" does not prevent a finding of confusing similarity between the disputed domain name and the Complainants' BARNES trademark. The Complainants further assert that the Respondent has no rights or legitimate interests in respect of the disputed domain name; that the Respondent was aware of the Complainants' trademark and activities and registered the disputed domain name with no reasonable motive, except for an attempt at phishing – and in this sense, the mail servers are active – or to resell it to the Complainants for commercial gain.

## B. Respondent

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

### 6.1. Preliminary Issue: Consolidation of Complainants

The Complaint was filed by two Complainants against a single Respondent. The Complainants have made a request for consolidation and bear the onus of establishing that such a consolidation is justified. The Complainants are the co-owners of the BARNES trademark registrations. In this regard, the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the "[WIPO Overview 3.1](#)") states in section 4.11.1: "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." The Panel, having reviewed all elements of this case, finds that the Complainants have a specific common grievance against the Respondent, in that the Complainants are related and jointly hold the Complainants' BARNES trademarks, and that it would be equitable and procedurally efficient to permit the consolidation of their complaints. See also *Barnes Europe Consulting Kft. and Heidi Barnes-Watson v. Jianhua Wang*, WIPO Case No. [D2022-3059](#), *Barnes Europe Consulting Kft., Heidi Barnes-Watson v. Privacy Service Provided by Withheld for Privacy ehf / Chris Byrd*, WIPO Case No. [D2022-1358](#), and *Barnes Europe Consulting Kft. and Ms. Heidi Barnes-Watson v. Antoine Bauch*, WIPO Case No. [D2023-0711](#).

### 6.2. Discussion and Findings

In order for the Complainants to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainants must demonstrate to the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have rights; and
- (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 3.1](#), section 1.7.

The Complainants have 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 BARNES mark is reproduced and 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.

Although the addition of other terms here, "quebec", 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 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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. 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 name such as those enumerated in the Policy or otherwise.

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.

Owing to the distinctiveness of the Complainants’ trademarks and reputation, the nature of the disputed domain name, which combines the Complainants’ trademark with the geographical term “quebec”, a reference to one of the jurisdictions in which the Complainants operate, it is reasonable to infer that the Respondent registered the disputed domain name with full knowledge of the Complainants’ trademarks, and so the Panel finds on the balance of probabilities that the Respondent was aware of the Complainants’ trademarks when registering the disputed domain name.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), section 3.1.4. In this case, the disputed domain name is confusingly similar to the renowned BARNES trademark and almost identical to the Complainants’ domain name <barnes-quebec.com>, and was registered by the Respondent, who has no relationship with the Complainants, thereby giving rise to a presumption of bad faith.

The Panel further notes that, from the submissions of the Complainants, it appears that the mail servers of the disputed domain name are configured to send and receive emails. Given the misleading composition of the disputed domain name with the reproduction of the Complainants’ trademark BARNES, followed by the city name “quebec”, where the Complainants own agencies and have business, the Panel considers that there is an impermissible threat for the Complainants. In this regard, the fact that the disputed domain name is almost identical to the Complainants’ domain name <barnes-quebec.com>, the only difference being the hyphen, further increases the misleading nature of the disputed domain name.

The disputed domain name resolves to a Registrar parking page where it is offered for sale for USD 210, which coupled with the composition of the disputed domain name, leads the Panel to conclude that the Respondent registered the disputed domain name due to its similarity with the Complainants' trademark to sell it likely in excess of the out-of-pocket costs related to the disputed domain name.

Finally, the Panel notes that the Respondent's failure to respond to the Complainants' assertions made in these proceedings further supports a finding of bad faith registration and use of the disputed domain name.

The Panel finds that the Complainants have 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 <barnesquebec.com> be transferred to the first Complainant Barnes Europe Consulting Kft.

*/Fabrizio Bedarida/*

**Fabrizio Bedarida**

Sole Panelist

Date: May 21, 2026