

## **ADMINISTRATIVE PANEL DECISION**

Sterling Jewelers Inc. v. Domain Administrator, Fundacion Privacy Services LTD

Case No. D2026-1474

### **1. The Parties**

The Complainant is Sterling Jewelers Inc., United States of America (“United States”), represented by Quarles & Brady LLP, United States.

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

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

The disputed domain name <jaredjewelers.com> is registered with Media Elite Holdings Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 3, 2026. On April 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 2026, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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”).

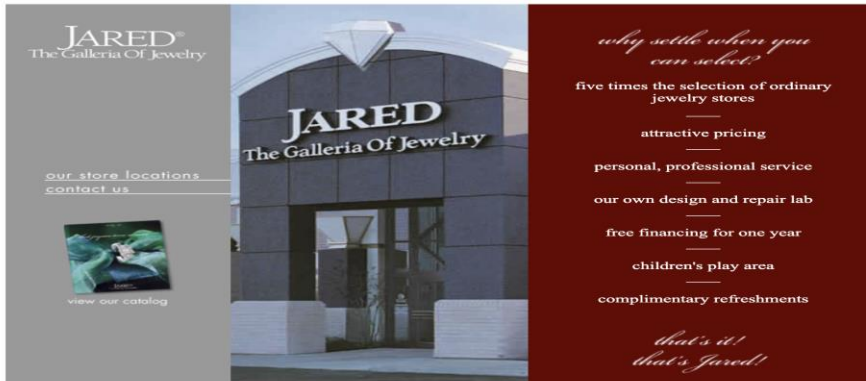
In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 15, 2026.

The Center appointed Assen Alexiev as the sole panelist in this matter on May 21, 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 specialty jewelry<sup>1</sup> company, founded in 1910. It is a subsidiary of Signet Jewelers - one of the world's largest retailers of jewelry, operating under several different brands, one of which is JARED. The Complainant has more than 200 JARED jewelry stores in the United States. The Complainant's official website is located at the domain name <jared.com>, registered since August 16, 1994. The earliest archived copy of this website at the Wayback Machine is dated November 26, 2002:<sup>2</sup>



For general questions or comments, please contact Jared via email. For technical questions or comments on the web site, please send email to the Jared Webmaster at [webmaster@jewels.com](mailto:webmaster@jewels.com).  
© Copyright 2000-2002 Jared, a division of Sterling Jewelers, Inc.

The Complainant is the owner of the following trademark registrations for JARED in the United States (the "JARED Trademark"):

- the United States trademark JARED with registration No. 3052726, registered on January 31, 2006 for services in International Class 35, claiming first use in commerce on November 11, 1993; and
- the United States trademark JARED with registration No. 3150413, registered on October 3, 2006 for goods in International Class 14, claiming first use in commerce on November 11, 1993.

The Complainant is also the owner of the United States trademark JARED THE GALLERIA OF JEWELRY with registration No. 1872975, registered on January 10, 1995 for services in International Class 42 (the "JARED THE GALLERIA OF JEWELRY Trademark"). The word "jewelry" in this trademark registration is disclaimed.

There is no information in the case file about the Respondent. A search in the WIPO database of UDRP decisions shows that the Respondent was the respondent in 210 prior disputes and was found to have acted in bad faith in many of them, including the ten most recent.

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<sup>1</sup> This is the American English spelling of "jewellery" that the Panel will use throughout the present Decision.

<sup>2</sup> [www.web.archive.org/web/20021126084522/http://jared.com/](http://www.web.archive.org/web/20021126084522/http://jared.com/) (Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") section 4.8).

The Registrar has confirmed that the disputed domain name was registered on December 23, 2002. When an attempt is made to open the website at the disputed domain name, it redirects to different webpages that display messages such as “Download in progress” or “Potentially dangerous content has been detected.” The archived copy of this website of May 28, 2003<sup>3</sup> (the earliest available after the registration date of December 23, 2002) at the Wayback Machine has the following appearance:

**Jaredjewelers**

Main Menu

- Gifts
- Online Shopping
- Clothes
- Books
- Weddings

**Jaredjewelers**

If you want to shop online - look no further! jaredjewelers.com is your leading source on the Web for shopping and gifts. Don't waste you time looking through stores for that perfect bargain. You can find bargains everywhere when you look online. With a huge range of stores and products available online, why would you want to shop at the mall? Stay at home, and save at home, with the discounts available all day online. Shop with the recommended retailers at jaredjewelers.com!

**Top Sites**

- [Your Private Jewels Store](#)  
A fine diamond should be as unique as the person to whom it is given. As well as the company from which it comes. Latest selection of diamond jewelry as well as gift ideas. Shop and compare.
- [Free Store Club](#)  
Exciting offer! You won't believe it! FREE INTERNET SUPER STORES! Earn Big Income! How? By giving away SUPER STORES for FREE! Try it FREE!
- [Italian Charms - Buy 1 Get 1 Free](#)  
Earn a free Italian charm for every Italian charm you buy on-line! Personalize your own charm bracelets, charm watches, silver jewelry, CZ jewelry and more! Fast Free shipping. Retail & Wholesale
- [Women's Jewelry at Shop the Bay](#)  
Women's jewelry at reasonable prices. Unconditional Guarantee. Easy Returns.
- [Camping Accessories Outdoor Equipment Superstore](#)  
Campingaccessoriesoutdoorequipmentsuperstore offers a unique mix of products for campers, as well as family gift items. We have Coleman camping equipment, mountain bikes, golf accessories, jewelry, and toys.
- [carolynzcampinggear](#)  
camping gearpicnic gear,golfing, hunting, fishing, jewelry, health/beauty aids, hammocks, outdoor wear
- [Jewelry For Pets And Their People](#)  
Beautiful and affordable sterling silver and 14K jewelry for you and your pet. We have sterling silver pendants, 14K pendants, earrings, bracelets, rings, chains and key rings.
- [Italian Charms - Buy 1 Get 1 Free](#)  
Italian Charms low as \$5.00. Earn a Free Italian Charm for every Italian Charm you buy on-line. Personalize Italian charm bracelets, watches, key chains and more. Fast Free Shipping. Retail and Wholesale.
- [Glowing Gemstone Jewelry](#)  
Hundreds of rings, earring and pendants available in every color of the rainbow. We have precious and semiprecious gems, all genuine, all set in 14K gold. Prices are low and shipping is free.
- [HartGem.com](#)  
A fine diamond should be as unique as the person to whom it is given, as well as the company from which it comes. Latest selection of diamond jewelry as well as gift ideas. Shop and compare.

The Wayback Machine records show that the Respondent’s website continued to display links to various competitors of the Complainant at least until December 18, 2005:<sup>4</sup>

The screenshot shows the website jaredjewelers.com with the tagline "The top DIAMONDS resources on the net". On the left is a "Main Categories" sidebar with a list of jewelry-related items. The main content area features "Sponsored Results for JEWELERS" with five promotional links: "Jewelers on eBay", "Berger and Silver Jewelers", "Jewelry at Blue Nile", "Official Alle Fine Jewelry Sale on Now", and "Crown Jewelers - Easy Payment Plans". At the bottom of the search results is a search box and a copyright notice for 2005 jaredjewelers.com.

The evidence provided by the Complainant shows that at the time the Complaint was filed, the disputed domain name redirected to various third-party sites, including a webpage triggering a Windows security alert.

<sup>3</sup> www.web.archive.org/web/20030528180701/http://www.jaredjewelers.com/

<sup>4</sup> www.web.archive.org/web/20051218092547/http://jaredjewelers.com/

## **5. Parties' Contentions**

### **A. Complainant**

The Complainant submits that it launched the JARED THE GALLERIA OF JEWELRY brand in 1993 for its new self-standing stores, instead of traditional mall-based stores. The Complainant states that since then it has continually and exclusively used the name "JARED" in the marketing and sale of jewelry, and that the JARED Trademark has gained substantial goodwill through significant sales and extensive advertising and promotion. The Complainant also notes that it owns and uses the domain name <jared.com> to provide information about the company and to sell goods directly to consumers.

The Complainant states that the disputed domain name is confusingly similar to its JARED Trademark, because it consists of this trademark and the dictionary word "jewelers", which is descriptive of the Complainant's goods and services.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because the disputed domain name was registered nine years after the Complainant began to use the JARED Trademark in commerce and seven years after it registered the JARED THE GALLERIA OF JEWELRY Trademark. The Complainant states that the Respondent has not been authorised to use the Complainant's trademarks and is not commonly known as "Jared Jewelers."

The Complainant points out that the Respondent uses the disputed domain name to redirect users to other websites that do not demonstrate any legitimate use or commercial activity in connection with the name "Jared Jewelers," as they are either inaccessible or engage in what appear to be illegal activities, such as attempts to manipulate users into calling phone numbers or downloading software which may be used to obtain personal or financial information or cause other harm to the users.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant maintains that the Respondent knew of the Complainant's JARED Trademark prior to registration of the disputed domain name and intentionally registered it so that the Complainant's customers would assume it belongs to or is associated with the Complainant. The Complainant submits that its use for illegitimate activities like phishing and the distribution of malware is evidence of bad faith.

### **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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the JARED Trademark and of the JARED THE GALLERIA OF JEWELRY Trademark the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the JARED and JARED THE GALLERIA OF JEWELRY trademarks are recognisable within the disputed domain name which is identical to the JARED Trademark and incorporates the dominant "JARED" element of the JARED THE GALLERIA OF JEWELRY Trademark.

Although the addition of other terms (here, "jewelers") 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 JARED and JARED THE GALLERIA OF JEWELRY trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The fact that the word “jewelry” is disclaimed in the Complainant’s JARED THE GALLERIA OF JEWELRY Trademark does not change the above conclusions.

Accordingly, the disputed domain name is confusingly similar to trademarks in which the Complainant has rights for the purposes of the Policy. 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 recognised 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.

Panels have held that the use of a domain name for illegitimate activities (here, claimed phishing and distribution of malware) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The disputed domain name is confusingly similar to the Complainant’s JARED and JARED THE GALLERIA OF JEWELRY trademarks, and currently redirects to third-party websites at least some of which appear to be involved in phishing schemes or the distribution of malware. Such use of the disputed domain name illegitimately exploits the goodwill of the Complainant’s trademarks and cannot give rise to rights or legitimate interests of the Respondent in the disputed domain name.

Considering the above, and the fact that the Respondent has not provided any plausible explanation for the registration and use of the disputed domain name, the Panel finds that the Respondent does not have rights and legitimate interests in the disputed domain name.

## **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.

The disputed domain name is confusingly similar to the Complainant’s trademarks. The Panel notes that the Complainant had operated under JARED brand for years, and registered the JARED THE GALLERIA OF JEWELRY Trademark, prior to the registration of the disputed domain name. The Respondent has not submitted a Response and has not provided any plausible explanation how and for what purpose it chose to register the disputed domain name. In the absence of any evidence supporting a different conclusion,

the Panel therefore finds that it is more likely than not that the Respondent registered the disputed domain name targeting the Complainant in an attempt to attract Internet users to the associated website. This supports a finding that the disputed domain name was registered and has been used in bad faith under the Policy.

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 held that the use of a domain name for illegitimate activities (here, claimed phishing and distribution of malware) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

As noted by the Complainant, the disputed domain name currently redirects visitors to third-party websites at least some of which appear to be related to phishing schemes or the distribution of malware. Such use of the disputed domain name supports a finding of bad faith.

It should also be noted that the Respondent has been involved in many prior proceedings under the Policy, where it was found to have acted in bad faith. This shows that the Respondent is a serial cybersquatter, which further supports the bad faith finding.

The Panel therefore 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 <jaredjewelers.com> be transferred to the Complainant.

*/Assen Alexiev/*

**Assen Alexiev**

Sole Panelist

Date: June 2, 2026