

ADMINISTRATIVE PANEL DECISION

Platypus Shoes (Australia) Pty Ltd v. ke lin
Case No. D2026-1550

1. The Parties

The Complainant is Platypus Shoes (Australia) Pty Ltd, Australia, represented by Clayton Utz, Australia.

The Respondent is ke lin, China.

2. The Domain Names and Registrar

The disputed domain names <platypusshoestore.club>, <platypusstore.club> and <platypusworldshoestore.club> are registered with West263 International Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 13, 2026. On April 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 15, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names 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 April 15, 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 amendment to the Complaint on April 17, 2026.

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 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 8, 2026.

The Center appointed Vincent Denoyelle as the sole panelist in this matter on May 15, 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 an Australian headquartered company specialized in the retail and distribution business for apparel, clothing, footwear, headgear, bags and accessory goods in the performance and lifestyle market.

The Complainant owns several PLATYPUS trade marks including the following:

- Australian trade mark PLATYPUS number 1781071 registered from July 4, 2016; and
- Australian trade mark PLATYPUS number 2341766 registered from March 15, 2023.

The Complainant is the registrant of the domain name <platypusshoes.com.au> through which the Complainant operates its e-commerce website.

The disputed domain name <platypusstore.club> was registered on March 26, 2026. The disputed domain name <platypusshoestore.club> was registered on April 1, 2026. The disputed domain name <platypusworldshoestore.club> was registered on April 9, 2026. All three disputed domain names trigger an error message "ERR_NAME_NOT_RESOLVED". The disputed domain names <platypusstore.club> and <platypusworldshoestore.club> used to point to nearly identical websites impersonating and passing itself off as the Complainant, offering the Complainant's products for sale with the reproduction of the Complainant's trade marks throughout the 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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to its PLATYPUS trade mark since they all incorporate the whole PLATYPUS trade mark with the mere addition of generic terms that do not prevent a finding of confusing similarity with the PLATYPUS trade mark.

The Complainant states that it is not affiliated in any way with the Respondent and that it has not granted any licence to the Respondent to use its PLATYPUS trade mark. The Complainant points to the use of the disputed domain names to deceive legitimate consumers of the Complainant to believe that the websites operated at the disputed domain names were operated by the Complainant, to conclude that such use cannot qualify as either (i) a bona fide offering of goods or services or (ii) legitimate noncommercial or fair use of the disputed domain names.

Turning to bad faith, the Complainant contends that the Respondent has registered the disputed domain names and is using the disputed domain names in bad faith as the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the websites operated at the disputed domain names by creating a likelihood of confusion with the Complainant's PLATYPUS trade mark and the Complainant's business generally.

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the PLATYPUS trade mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the PLATYPUS trade mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, "store", "shoestore" and "worldshoestore", 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 names and the PLATYPUS trade 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 names. 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 names such as those enumerated in the Policy or otherwise.

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

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.

The disputed domain names are confusingly similar to the trade mark PLATYPUS of the Complainant and this cannot be a coincidence given that (i) the trade mark PLATYPUS was registered several years before the disputed domain names and (ii) the targeted choice of terms added to the PLATYPUS trade mark in the disputed domain names including “shoes” which refers to the exact type of product offered on the Complainant’s e-commerce platform, and “store” which suggests connection to the Complainant’s online sales efforts.

Thus, the Panel finds that the disputed domain names were registered in bad faith.

As for use of the disputed domain names in bad faith, the Panel is satisfied that they are used in bad faith.

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

As for the current inactive content associated with the disputed domain names, 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 and reputation of the Complainant’s trade mark and the prior use of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain names constitutes 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 names <platypusshoestore.club>, <platypusstore.club> and <platypusworldshoestore.club> be transferred to the Complainant.

/Vincent Denoyelle/

Vincent Denoyelle

Sole Panelist

Date: May 29, 2026