

ADMINISTRATIVE PANEL DECISION

The Kooples Production v. sale Zhuang
Case No. D2026-1752

1. The Parties

The Complainant is The Kooples Production, France, represented by Clayton Avocats, France.

The Respondent is sale Zhuang, China.

2. The Domain Name and Registrar

The disputed domain name <thekooplemall.top> is 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 24, 2026. On April 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 27, 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 April 27, 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 29, 2026.

The Center verified that the Complaint together with the amendment to 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 May 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 26, 2026.

The Center appointed Catherine Slater as the sole panelist in this matter on June 1, 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 French company engaged in the sale of clothing, accessories, shoes and cosmetics under the trademark THE KOOPLES.

The Complainant is the owner of a number of trademark registrations around the world including:

- European Union Trademark No. 6646327 for THE KOOPLES (word) registered on December 17, 2008; and
- International Trademark No. 989611 for THE KOOPLES (word) registered on July 25, 2008.

The Complainant operates a website at “www.thekooples.com” (“the Complainant’s website”).

The disputed domain name was registered on April 1, 2026.

The evidence submitted by the Complainant shows that the disputed domain name has been used to resolve to a website (“the Respondent’s website”) that appeared largely identical to the Complainant’s website including the display of the Complainant’s trademark (in identical stylization to that used by the Complainant) and the display of the Complainant’s photographs including product photographs. The evidence submitted also showed two items of clothing upon the Respondent’s website (identical to those on the Complainant’s website) apparently offered for sale for an amount substantially less than by the Complainant.

On April 7, 2026, the Complainant’s representatives sent a number of cease-and-desist letters, including to the Registrar. On April 8, 2026, the Registrar indicated that the disputed domain name had been suspended.

At the date of this Decision, and presumably because of the Registrar’s suspension, the disputed domain name resolves to an inactive webpage (“This site can’t be reached”).

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 the Complainant’s trademark since it differs only in the deletion of the “S” after “KOOPLES” and the addition of the merely descriptive word “mall”.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent has no rights in the name THE KOOPLES, the Respondent is not affiliated with the Complainant, the Respondent is not authorized to use its trademark and the Complainant has no knowledge of or relationship with the Respondent. The Complainant further contends that the use to which the disputed domain name has been put cannot be bona fide.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith because it is clear that the Respondent knew of the Complainant’s trademark and deliberately registered an almost identical domain name with the intent to divert Internet users from the Complainant’s website to the Respondent’s website and the reproduction of the Complainant’s trademark as well as its photographs amounts to bad faith use.

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 Panel finds the mark is recognizable within the disputed domain name. The disputed domain name contains a misspelling of the mark by the omission of the single letter "s" which is easily overlooked. [WIPO Overview 3.1](#), section 1.9. 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, "mall", 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 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 activity, here, claimed sale of counterfeit goods and copycat website, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. See further discussion of this issue below.

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 selected a domain name which comprises an obvious misspelling of the Complainant's distinctive trademark plus a term "mall" relevant to the Complainant's business. In such circumstances, the clear inference is that the Respondent has selected the disputed domain name with knowledge of the Complainant's trademark. That the Respondent had such knowledge is confirmed by the use of the disputed domain name for a website that is a clear imitation of the Complainant's website including the display of the Complainant's trademark and photography. Therefore, the Panel finds that the Respondent registered the disputed domain name with the Complainant's trademark in mind and with the intention of profiting from, or otherwise exploiting, the goodwill attached to that trademark.

The Respondent's use of the disputed domain name for a website that is a clear imitation of the Complainant's website creates the false impression that it is associated with the Complainant. As such, the Panel considers that the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark in accordance with paragraph 4(b)(iv) of the Policy.

Furthermore, Panels have held that the use of a domain name for illegitimate activity, here claimed sale of counterfeit goods and copycat website also constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. In this case, whether or not the disputed domain name is being used to sell counterfeit goods (in respect of which there is no evidence other than two items of clothing offered for a low amount on the Respondent's website) the Respondent's website does impersonate the Complainant's website.

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 <thekooplemall.top> be transferred to the Complainant.

/Catherine Slater/

Catherine Slater

Sole Panelist

Date: June 15, 2026