

ADMINISTRATIVE PANEL DECISION

Maxi Miliaan B.V. v. Kevin Thomas Werbrich

Case No. D2026-1760

1. The Parties

The Complainant is Maxi Miliaan B.V., Netherlands (Kingdom of the), represented by Bignon Lebray, France.

The Respondent is Kevin Thomas Werbrich, United States of America.

2. The Domain Name and Registrar

The disputed domain name <maxi-cosi.store> 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 April 24, 2026. On April 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 28, 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 29, 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 May 11, 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 May 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 5, 2026.

The Center appointed Alexander Duisberg as the sole panelist in this matter on June 10, 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, Maxi Miliaan B.V., is a Dutch consumer goods company founded in 1987 and a member of the Canadian group Dorel Industries. The Complainant specializes in the marketing of products for babies and commercializes, under the trademark MAXI-COSI, a variety of car seats and strollers. Dorel Industries' branded products include juvenile brands such as "Maxi-Cosi", "Quinny" and "Tiny Love".

The Complainant is the owner of numerous trademark registrations in the European Union and international trademark registrations registered under the Madrid System, including:

- International trademark registration MAXI-COSI No. 1791784, filed and registered on February 5, 2024, in classes 9, 11, 12 and 20, designating in particular the European Union and the United States of America;
- International trademark registration MAXI-COSI No. 880073, filed and registered on January 27, 2006, in classes 12 and 18, duly renewed on January 27, 2016, designating in particular the European Union and the United States of America;
- European trademark registration MAXI-COSI No. 002401560, filed on October 5, 2001, registered on March 24, 2003, and duly renewed on October 5, 2021, in class 12.

The disputed domain name <maxi-cosi.store> was registered on April 18, 2026.

According to the uncontested evidence submitted by the Complainant, the disputed domain name resolved to a website which displayed the Complainant's MAXI-COSI trademarks, logos, product catalog, images, and visual design elements. The website displayed the same product categories (car seats, strollers, etc.) and used identical product descriptions for its commercial offering of car seats, strollers, etc. under the MAXI-COSI trademarks. The site further included footer elements stating "©2026 Dorel Juvenile". According to the uncontested evidence submitted by the Complainant, nothing on the website indicated that the disputed domain name was not affiliated with the Complainant.

According to a domain status verification conducted by the Center on May 15, 2026, the disputed domain name resolved to a Shopify page indicating "Sorry, this store is currently unavailable".

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 <maxi-cosi.store> wholly incorporates the Complainant's MAXI-COSI trademarks and is identical or confusingly similar thereto. The Complainant submits that the ".store" extension strengthens the impression that the disputed domain name refers to an official online sales channel of the Complainant. The Complainant states that it has not authorized, licensed, or otherwise permitted any third party to use the disputed domain name or use its trademarks in any way. The Complainant argues that the Respondent's use of the disputed domain

name to operate a website that is a replica of the Complainant's official website, systematically reproducing the Complainant's trademarks, logo, product catalog, images, and visual design elements, constitutes fraudulent activity designed to deceive consumers and collect personal information and credit card numbers. The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith for the sole purpose of taking undue advantage of the Complainant's prior trademark and reputation.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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.

The Panel acknowledges the consensus view that the Respondent's default to respond to the Complaint does not automatically result in a decision in favor of the Complainant. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.1](#)"), section 4.3.

Although the Panel may draw appropriate inferences from the Respondent's default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in the UDRP proceeding.

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

The entirety of the mark is reproduced 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.

The Panel notes that the ".store" generic Top-Level Domain ("gTLD") does not prevent confusing similarity. It is well and long established that a gTLD extension may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark (see *Virgin Enterprises Limited v. Cesar Alvarez*, WIPO Case No. [D2016-2140](#); *BHP Billiton Innovation Pty Ltd v. Registration Private, Domains by Proxy, LLC / Sean Fournier, Epic Web Designs*, WIPO Case No. [D2017-1701](#)). [WIPO Overview 3.1](#), section 1.11.

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 (see *Wal-Mart Stores, Inc. v. WalMart Careers, Inc.*, WIPO Case No. [D2012-0285](#); *Swedish Match North Europe AB, Philip Morris International, Inc v. durant Kevin, Host Master, Njalla Okta LLC*, WIPO Case No. [D2026-0081](#)). [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.

The Panel finds that the disputed domain name bears all signs of direct affiliation with the Complainant. The disputed domain name resolved to a website purporting to be an official online presence of the Complainant by using the Complainant’s MAXI-COSI trademark, logos, and official product images without authorization, and including footer elements claiming copyright by Dorel Juvenile. The Respondent’s website did not disclose its (lack of) relationship with the Complainant. This implies to Internet users interested in the Complainant’s baby products that the website is an official website from MAXI-COSI, whereas the Respondent did nothing to distinguish the disputed domain name from the Complainant’s trademark (see *Sanofi v. rahil ahmed, rahil foods*, WIPO Case No. [D2025-2234](#)). [WIPO Overview 3.1](#), section 2.1

Panels have held that the use of a domain name for illegitimate activity by impersonating the Complainant can never confer rights or legitimate interests on a respondent (see *Lonza Ltd v. Geral Gera, SEGLINK*, WIPO Case No. [D2025-1342](#); *SESSUN v. Samuel Williams Williams*, WIPO Case No. [D2023-2132](#); *Aspen Insurance Holdings Limited v. Bukayo Ajiboye*, WIPO Case No. [D2023-0669](#)). [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.

Panels have held that the use of a domain name to impersonate a complainant’s official online presence constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy (see *Skechers U.S.A., Inc. II v. Zhangming Li*, WIPO Case No. [D2022-0257](#); *Bulgari S.p.A. v. Che Kane Jose*, WIPO Case No. [D2023-3212](#)). [WIPO Overview 3.1](#), section 3.4.

In the present case, the Panel notes that the Respondent registered and used the disputed domain name to intentionally attract, for commercial gain, Internet users by creating utmost likelihood of confusion with the Complainant’s MAXI-COSI trademark. Based on the uncontested evidence submitted by the

Complainant, the Respondent operated an unauthorised website that displayed elements directly copied from the Complainant's official online presence, including the Complainant's MAXI-COSI trademark, logos, and official product images, and footer elements claiming copyright by Dorel Juvenile. The website did not disclose the Respondent's (lack of) relationship with the Complainant. The website was deliberately assembled to create a counterfeit website designed to deceive consumers into believing they were purchasing genuine Maxi-Cosi products through an official outlet channel operated by or affiliated with the Complainant, leading to the potentially fraudulent collection of customer information.

Panels have confirmed in a variety of UDRP decisions that where a complainant's trademark registrations significantly predate the registration of a disputed domain name and the mark is well-known, the mere registration of a confusingly similar domain name by an unaffiliated entity can by itself create a presumption of bad faith, as there is no other plausible reason for such registration, and the respondent must be deemed to be trading on the goodwill of the complainant's mark (see *International Business Machines Corporation (IBM) v. Zachary Silva, Catenact.io*, WIPO Case No. [D2025-1941](#); *International Business Machines Corporation (IBM) v. Tyler Dikman*, WIPO Case No. [D2025-2376](#)). [WIPO Overview 3.1](#), section 3.1.4.

The Panel finds that the Respondent registered the disputed domain name with the expectation of taking advantage of the reputation of the MAXI-COSI trademark. The Complainant's registrations of the MAXI-COSI trademark predate the Respondent's registration of the disputed domain name, with registrations dating back to at least 2001. Based on the uncontested evidence submitted by the Complainant, the Respondent does not own any rights in any trademarks which comprise part or all of the disputed domain name and the Respondent is not commonly known by the disputed domain name. The Complainant has not given its consent for the Respondent to use its registered MAXI-COSI trademark in a domain name registration. It has been proven to the Panel's satisfaction that the Complainant's MAXI-COSI trademark is known and unique to the Complainant. The Respondent could not reasonably ignore the reputation of goods or services offered under this trademark.

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 <maxi-cosi.store> be transferred to the Complainant.

/Alexander Duisberg/

Alexander Duisberg

Sole Panelist

Date: June 24, 2026