

ADMINISTRATIVE PANEL DECISION

Barnes Europe Consulting Kft. and Ms. Heidi Barnes-Watson v. James Barnes, Barnes International
Case No. D2026-1838

1. The Parties

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

The Respondent is James Barnes, Barnes International, Switzerland.

2. The Domain Name and Registrar

The disputed domain name <barnesinternational.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 29, 2026. On April 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 29, 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 May 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2026. The Respondent sent email communications to the Center on May 6, May 15, May 28, June 1, June 2, July 7 and July 10, 2026. The Complainant sent email communications to the Center on May 28, June 3 and July 7, 2026. The proceedings were suspended from June 3, 2026, to July 8, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on July 20, 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. Outstanding Procedural Matters

A. Consolidation of Proceedings

The Panel finds that the two named Complainants are associated parties and are the joint owners of the trademarks in issue in this proceeding. The Panel determines, accordingly, that 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 finds further that it would be equitable and procedurally efficient to permit the consolidation: WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.11.1. The Complainants shall be referred to together as the Complainant in the remainder of this decision, which expression shall also designate one or other of them as the context may require.

B. Irregular Submissions

The Respondent has failed to file a formal Response in the proceeding, but has sent various emails and attachments to the Center, including copies of emails between the Complainant and itself. The Complainant has sent further emails to the Center commenting on the Respondent's contentions. While submissions made otherwise than within the Complainant and any Response are irregular, the Panel has determined in this case, having regard to its general powers under paragraph 10 of the Rules, to admit the Parties' informal submissions referred to above.

5. Factual Background

The Complainant is an international provider of luxury residential real estate and related services, operating in at least 19 countries around the world.

The Complainant (or associated entities) is the owner of numerous trademark registrations for the word mark BARNES and for a variety of figurative marks including, for example:

- France trademark registration number 3861673 for the word mark BARNES, registered on January 20, 2012, in International Classes 36, 37 and 42;
- International trademark registration number 1114909 for the word mark BARNES, registered on March 13, 2012, in International Classes 36, 37 and 42,
- International trademark registration number 982204 for a figurative mark B BARNES INTERNATIONAL PROPERTY CONSULTANT LONDON PARIS MIAMI as depicted below, registered on October 6, 2008, in numerous International Classes; and



- International trademark registration number 1324244 for a figurative mark B BARNES INTERNATIONAL REALTY as depicted below, registered on August 23, 2016, in International Classes 36, 37 and 42.



The Complainant operates a website at <barnes-international.com>. It is described on that website as “A major player in luxury real estate and an ambassador of French ‘Art de Vivre’”.

The disputed domain name was created on October 20, 2009. The Respondent acquired the disputed domain name on or around May 11, 2017.

The Complainant submits evidence by way of screenshots that, on April 16, 2026, the disputed domain name resolved to a website titled “BARNES International – Ambassador of French Art de Vivre in Luxury Real Estate”. The website was headed with the logo depicted below:



The website purported to offer featured properties in locations including the French Riviera, the Maldives and Los Angeles, and claimed “over a century of expertise in luxury real estate”, operating in 19 countries and 75 destinations. Its contact sub-page included an American telephone number and an office address in Cannes, France.

6. Parties’ Contentions

A. Complaint

The Complainant submits that its business was founded over 20 years ago, and that it is a leading international player in high-end residential real estate, operating in the world’s leading cities and destinations. It states that, in addition to real estate agencies, its activities include other luxury services such as private jets, yacht charter, art advisory and interior decoration. It states that it operates an integrated network of 158 agencies in 19 countries, with licensed affiliates in 15 countries.

The Complainant submits that its BARNES trademark has been found by previous panels under the UDRP to have attained the status of a well-known trademark, e.g. *Barnes Europe Consulting Kft., and Heidi Barnes-Watson v. jianhua Wang*, WIPO Case No. [D2022-3059](#).

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant submits that the disputed domain name is identical or confusingly similar to its BARNES trademark. It states that the disputed domain name wholly incorporates that trademark, together with the additional term “international”, which does nothing to negate the confusing similarity. The Complainant adds that the Complainant itself trades as “Barnes International”, and that Internet searches against that term produce results relating only to the Complainant.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that the Respondent has no trademark corresponding to “Barnes International” and repeats that all Internet searches against that term produce results relating to the Complainant. It states that it has no relationship with the Respondent and has never licensed or authorized him to use its trademarks.

The Complainant contends, moreover, that the Respondent has used the disputed domain name to resolve to a fraudulent website that impersonates the Complainant. It submits, in particular, that the website:

- reproduces the Complainant's BARNES trademark, and also a logo which is similar to the Complainant's figurative trademarks;
- claims to provide the same luxury real estate services as the Complainant;
- adopts the phrase "Ambassador of the French Art de Vivre" as used by the Complainant;
- claims to operate in 19 countries and 75 destinations, as does the Complainant;
- claims an office address in Cannes, France, that is very close to the Complainant's office address;
- includes a phone number which is clearly false; and
- contains a number of incomplete sections, e.g. "Privacy Policy" and "Terms & Conditions", whereas other clickable links, e.g. "Services" do not work.

The Complainant adds that the fact that the Respondent is named James Barnes cannot of itself confer upon him rights or legitimate interests in respect of the disputed domain name.

The Complainant submits that the disputed domain name was registered and has been used in bad faith.

The Complainant contends that its BARNES trademark was already well known in the Complainant's sector at the date the disputed domain name was registered, and that the Respondent cannot credibly claim not to have known of the Complainant and its business. It asserts that, in these circumstances, the Respondent can only have registered the disputed domain name in order to create confusion and take unfair advantage of the Complainant's reputation.

The Complainant repeats its submissions concerning the Respondent's website.

The Complainant contends that, prior to its use for the website referred to above, the disputed domain name was offered for sale, including on various dates in 2019, 2021 and 2025. The Complainant provides evidence that it contacted the Registrar in November 2025 and was informed that that the list price for the disputed domain name was USD 2,500. Upon counter-offering USD 2,000, the Complainant was told that the disputed domain name "was up for a price increase" and was now listed at USD 10,000. The Complainant submits that these matters evidence the Respondent having registered the disputed domain name with the intention of selling it to the Complainant.

The Complainant adds that mail exchange (MX) servers have been configured upon the disputed domain name, which gives rise to a risk of the disputed domain name being used for the purpose of fraudulent emails.

The Complainant requests the transfer of the disputed domain name.

B. Respondent's Informal Submissions

The Respondent states that he established a Swiss wealth management firm named "Barnes International", and acquired the disputed domain name from the Registrar in 2017 in conjunction with that business. However, he was then advised that he should not use that name, as it was too similar to that of the Complainant, and he therefore set up his business as "Alpha Global Wealth".

The Respondent states that he purchased the disputed domain name for USD 5,000, and also incurred significant costs in changing his branding from “Barnes International”.

The Respondent contends that he has never used the disputed domain name for the purpose of any website, and that the website to which the Complainant refers was offered by the Registrar as an AI-generated mock-up webpage in conjunction with its efforts to sell the disputed domain name. He states that the website was never published and was never live on the Internet. He asserts that the Complainant’s evidence must have been “illegally sourced” by the Complainant from within the Registrar.

The Respondent contends that he has received numerous offers for the disputed domain name via the Registrar, but has made clear that the disputed domain name is not for sale. He believes that the Complainant is therefore adopting tactics aimed at forcing a sale.

The Respondent submits that since his name is Barnes, and he operates internationally, there is no reason why he should not have registered the disputed domain name.

The Respondent exhibits an email from the Registrar dated May 11, 2017, evidencing an order for the following items:

- domain name <barnesinternational.ch> for one year, USD 11.58
- private domain registration for the above for one year, USD 3.99
- premium domain registration for the disputed domain name for one year, USD 11.69
- premium domain purchase one time fee, USD 2,081.40
- private domain transfer for the disputed domain name for one year, USD 3.99

The Respondent also exhibits correspondence with a firm of Swiss intellectual property consultants, commencing on May 23, 2017. The Respondent states that his company name is Barnes International SA and that he wishes to register a trademark. He continues: “The only problem I foresee is that there is a property/real estate company globally called B Barnes International but they trade under various global names Barnes Paris, Barnes Miami, Barnes Geneva etc”. Following further exchanges, the correspondence concludes with the Respondent stating on June 7, 2017 that he has decided to use the name “Alpha Global Wealth”.

The Respondent submits that he has never acted in any improper manner, and that he had made clear to the Complainant upon receiving the Complaint that the Complainant could purchase the disputed domain name “for the same \$2000 I paid 9 years ago, even though the name is worth considerably more”. He asserts that the Complainant is “trying every dirty immoral legal tactic to destroy a small business owner that has done nothing wrong”.

C. Complainant’s Replies

The Complainant disputes the Respondent’s assertion that the website to which it referred was an internal website held only within the Registrar. It refers to its screenshots exhibited in evidence, and states that the website was online and that every Internet user could access it. It also contends that the website used Cloudflare as its hosting provider.

The Complainant produces email correspondence with the Respondent, including an email from the Respondent dated June 1, 2026, in which the Respondent states:

“At this stage we can continue with the WIPO case and your complaint, I will demand 3 panel members which will incur extra and additional costs, as I am 100% clear and innocent of any charges or wrongdoing. Or I am prepared to relinquish the two domain names I own barnesinternational.com and barnesinternational.ch for the costs or purchase in 2017. I do not wish to profit from any of this, but think it’s only fair that if your client wishes to own these domain names they can do so for the costs incurred by me in 2017.”

The above is followed by an email from the Respondent to the Complainant dated June 2, 2026, stating:

“My below offer stands until midday Thursday 4th June. After this time, I will pay for the 3-panel team and select my choice of panelists. If I win the case the domain name barnesinternational.com will be priced at \$50,000 and advertised and marketed accordingly”.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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.

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 that it is the owner of registered trademark rights in the mark BARNES. The disputed domain name wholly incorporates that mark, together with the dictionary term “international”, which does not prevent the Complainant's trademark from being recognizable within the disputed domain name. The disputed domain name is therefore confusingly similar to the Complainant's BARNES trademark.

The Panel therefore finds that the first element under 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.

By way of rebuttal, the Respondent argues, first, that since his name is Barnes and he operates internationally, there is no reason why he should not have registered the disputed domain name. The Panel notes, however, that the disputed domain name does not comprise the name Barnes alone, by which the Respondent might credibly claim to have been commonly known, but is “barnesinternational”. The Panel

finds there to be no evidence that the Respondent has been commonly known by the name “Barnes International”. While he claims to have established a Swiss company of that name, there is no evidence of any such company registration, or the public exposure of any such entity, and the Respondent himself admits that he changed the company name to “Alpha Global Wealth” prior to embarking upon any substantive business activities.

The Respondent also claims to have registered the disputed domain name in connection with a bona fide commercial venture, i.e. in order to operate a wealth management company under that name, i.e. Barnes International SA (Policy, paragraph 4(c)(i)). Once again, however, the Respondent did not provide evidence of making any substantive use of any company under that name, and commenced business instead under the name “Alpha Global Wealth”. Nor has the Respondent provided evidence of any of the matters set out in [WIPO Overview 3.1](#), section 2.2, as evidencing demonstrable preparations to use the disputed domain name for a legitimate purpose, e.g., business formation-related due diligence (other than that which informed his decision against using the disputed domain name), investment in website or promotional materials utilizing the relevant company name, or any relevant business plan.

The Panel therefore finds that the second element under the Policy has been established.

C. Registered and Used in Bad Faith

In order to establish the third element under the Policy, it is necessary for the Complainant to demonstrate, on the balance of probabilities, that the Respondent both registered and has used the disputed domain name in bad faith.

Registration of the disputed domain name in bad faith (where registration in this case comprises the Respondent’s acquisition of the disputed domain name on or about May 11, 2017) requires that the Respondent knew, or ought to have known, of the Complainant’s trademark rights at the time he registered the disputed domain name.

In this case, the Respondent admits that he was aware of the Complainant and its business activities by no later than May 23, 2017, being the date upon which he consulted Swiss intellectual property consultants about a potential conflict with the Complainant. Noting that the Respondent is a businessman who intended to set up an advisory business, based in Europe and directed to high-net-worth individuals internationally, that the Complainant was already at that time an established and widely-known business targeting a similar market and operating a website at <barnes-international.com>, the Panel finds it difficult to accept that the Respondent had been unaware of the Complainant and its business some twelve days earlier, at the time he decided to purchase the disputed domain name.

As to the Respondent’s use of the disputed domain name, the Panel finds without hesitation that the use of the disputed domain name for the website described and evidenced by the Complainant constituted an impersonation of the Complainant, intended to mislead Internet users into believing that the website must be owned or controlled by, or otherwise legitimately affiliated with, the Complainant. However, the Respondent is highly dismissive of the Complainant’s evidence, asserting that, if any such website existed, it was an AI-generated mock website, produced by the Registrar for internal use only, and was never published or available on the Internet.

The Respondent’s protestations notwithstanding, the Panel can see no reason to doubt the veracity of the Complainant’s screenshots of the website in question as at April 16, 2026. Nor is that evidence consistent with the website being an unpublished mock-up, as opposed to a live website available to Internet users. For example, the screenshots show the browser address bar resolving to the disputed domain name itself, not to a builder preview address, a staging subdomain, or a local/offline environment. Furthermore, the browser bar displays a padlock icon, indicating a valid SSL/TLS certificate, which would only normally be provided once the website in question were accessible via a publicly reachable server. The fact that the screenshot includes sub-pages such as “/privacy” and “/terms” is also more consistent with a publicly accessible website than a test environment.

Furthermore, while noting that some of the incomplete pages on the Respondent's website say "You can ask Airo to build this page for you" (where "Airo" refers to an AI tool provided by the Registrar), the Panel finds it highly unlikely that the website as published, which is clearly intended to impersonate the Complainant, would have been generated by the Registrar, whether for testing or promotional purposes or otherwise. And even if that were the case, none of this would detract from the Respondent's ultimate responsibility for the website content to which the disputed domain name resolves (see e.g. [WIPO Overview 3.1](#), section 3.5).

The Panel does not accept that the prices sought by the Registrar for the sale of the disputed domain name, including the "price increase" to USD 10,000, were made otherwise than with the authority of the Respondent as the owner of the disputed domain name: indeed the Registrar's relevant emails refer specifically to "this seller" and to previous dealings with him. The Panel infers in the circumstances that the Respondent's website was established in order to exert commercial pressure upon the Complainant in connection with a purchase of the disputed domain name.

The Panel finds, therefore, that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

In addition to the Respondent's untenable denial of the Complainant's evidence concerning the website, the Panel also notes that the Respondent has provided inconsistent accounts of the amount he paid for the disputed domain name (initially USD 5,000 and later USD 2,000) and that he has failed to file any duly-certified Response in the proceeding (Rules, paragraph 5(c)(viii), both of which matters support an overall impression of bad faith. While the Panel accepts that the Respondent offered on June 2, 2026, to sell the disputed domain name to the Complainant for the same price he paid for it, this was after the Complainant had incurred the fees and costs associated with this proceeding and does not undo the bad faith conduct which preceded this offer.

The Panel therefore finds that the third element under the Policy has been established.

8. 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 <barnesinternational.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: August 3, 2026