

ADMINISTRATIVE PANEL DECISION

Callum Charnock v. Hola Domains

Case No. D2026-1897

1. The Parties

Complainant is Callum Charnock, United Kingdom, self-represented.

Respondent is Hola Domains, Costa Rica, represented by Andrii Raietsky, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <loyalsoldiers.com> is registered with TurnCommerce, Inc. dba NameBright.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 1, 2026. On May 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 5, 2026, the Registrar transmitted by email to the Center its verification response confirming that 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 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 Response was filed with the Center on June 2, 2026. The Complainant submitted a request to file a supplemental filing on June 11, 2026, which Respondent objected to on June 12, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on June 19, 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.

On June 29, 2026, the Panel issued an Administrative Panel Procedural Order No. 1, hereby granting Complainant's request of June 11, 2026, to submit a supplemental filing which should be focused on arguments for and evidence of trademark rights within the meaning of the Policy, in particular trademark rights which predate the registration of the disputed domain name on December 28, 2014. Complainant sent a supplemental filing to the Center on July 4, 2026; Respondent, in turn, responded thereto by submitting a supplemental filing on July 9, 2026.

4. Factual Background

Complainant is located in the United Kingdom where he is doing business in connection with a company "Loyal Soldiers Ltd" organized under the laws of the United Kingdom and incorporated on February 24, 2025, that is trading apparel (e.g. hoodies, jackets, t-shirts and caps).

Complainant has provided evidence that he is the registered owner of the following trademark:

- word/device trademark LOYAL SOLDIERS, Intellectual Property Office United Kingdom, registration number: UK00004226241, filing date: June 29, 2025, registration date: September 26, 2025; status: active.

Respondent is a company organized under the laws of Costa Rica that is active in the domain name investment business with a focus on generic domain names.

The disputed domain name was registered on December 28, 2014. It resolves to a domain name trading platform where it is offered for online sale. In this context, Complainant has demonstrated that, at some point before the filing of the Complaint, the disputed domain name was offered for online sale at various sales prices in a range of GBP 2,805.15 to GBP 3,380.57.

On April 29, 2026, Complainant contacted Respondent through the Registrar and offered to buy the disputed domain name for GBP 100.00, which Respondent declined. In turn, Respondent then offered to sell the disputed domain name to Complainant for USD 999.00, which Complainant did not accept, but filed the Complaint on May 1, 2026.

Complainant requests that the disputed domain name be transferred to Complainant.

Respondent, in turn, requests that the Complaint be denied and that the Panel make a finding of Reverse Domain Name Hijacking.

5. Parties' Contentions

A. Complainant

Complainant contends that he has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Notably, Complainant contends that he has established comprehensive rights in the LOYAL SOLDIERS trademark through government registration, corporate identity, and a documented 17-year business history. In particular, e.g. in its supplemental filing of July 4, 2026, Complainant argues that the LOYAL SOLDIERS trademark originated in 2009, was formally assigned to Complainant effective October 1, 2013, and has been continuously exploited in commerce under consistent management of Complainant to identify his business, to interface with the public, and to protect the LOYAL SOLDIERS brand's accrued goodwill from 2013 to the present day.

In its Complaint of May 1, 2026, Complainant does not specifically address whether the disputed domain name is identical or confusingly similar to Complainant's LOYAL SOLDIERS trademark; still, in its supplemental filing of July 4, 2026, Complainant argues that the disputed domain name is an "exact match"

of Complainant's LOYAL SOLDIERS trademark. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Respondent has no connection to the LOYAL SOLDIERS trademark and (2) Respondent is "passively holding" the disputed domain name solely to profit from its resale to the trademark owner. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) Respondent is engaged in a pattern of opportunistic pricing and direct solicitation, offering the disputed domain name for online sale at various sales prices in a range of GBP 2,805.15 to GBP 3,380.57, and (2) Respondent is a professional domain entity known to hold thousands of brand-related domains for the sole purpose of resale, which constitutes a "pattern of conduct" aimed at preventing trademark owners like Complainant from reflecting their trademarks in corresponding domain names.

B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name. Notably, Respondent contends to be a legitimate domain name investor that owns several generic domain names related to military themes, such as <musclearmy.com>.

Respondent argues that the disputed domain name is not identical or confusingly similar to a trademark in which Complainant has rights since (1) Complainant's cited trademark UK00002529719 expired on October 23, 2019, (2) Complainant's cited trademark UK00004226241 was only filed on June 29, 2025, which is over 10 years after the disputed domain name was registered, and (3) Complainant has failed to provide any independent news articles, press releases, consumer surveys, or evidence of substantial advertising expenditures that would prove the LOYAL SOLDIERS brand has become a distinctive identifier in the minds of the public, and so acquired secondary meaning. Moreover, Respondent submits that it has rights and legitimate interests in respect of the disputed domain name since (1) Respondent acquired the disputed domain name as part of a legitimate domain investment business and for its common meaning, generic nature and inherent commercial attractiveness, because of which the disputed domain name is recognized on the secondary market as a valuable digital asset, and (2) Respondent registered the disputed domain name over a decade before Complainant's company and active trademark existed, and so could not have targeted Complainant's business or trademark. Finally, Respondent asserts that it has neither registered nor is using the disputed domain name in bad faith since (1) Respondent is merely engaged in the legitimate business of selling generic domain names, (2) the disputed domain name merely consists of generic English words, (3) Respondent registered the disputed domain name more than a decade before Complainant's company and active trademark existed, (4) Complainant has produced no evidence whatsoever that his LOYAL SOLDIERS brand is famous outside the United Kingdom, let alone in Costa Rica where Respondent is operating, and (5) Respondent never targeted Complainant and the pricing of the disputed domain name reflects its status as a premium dictionary word, not an intent to target Complainant.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

First, 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 Complainant's LOYAL SOLDIERS trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has shown rights in respect of his LOYAL SOLDIERS trademark (UK00004226241, filing date: June 29, 2025, registration date: September 26, 2025) for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, without any additions or alterations whatsoever. Accordingly, the disputed domain name is identical to Complainant's LOYAL SOLDIERS trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The fact that the disputed domain name was registered back in 2014, while Complainant's LOYAL SOLDIERS trademark was applied for and registered only in 2025, is irrelevant under the first element test of identity or confusing similarity between the disputed domain name and Complainant's trademark (see [WIPO Overview 3.1](#), section 1.1.3), but plays a decisive role under the findings relating to the second and third elements (see sections B. and C. below).

Besides, and as a matter of completeness, the Panel wishes to clarify that Complainant's earlier device trademark (UK00002529719, filing date: October 23, 2009, registration date: February 5, 2010) not only expired already on October 23, 2019. But even if it had still been valid at the date when the Complaint was filed, it is/was obviously neither identical nor confusingly similar to the disputed domain name. This trademark consisted solely of the abstract depiction of a white head and olive-green headwear, with no word components whatsoever. In this context, UDRP panels agree that design elements, which are incapable of representation in domain names, are largely disregarded for purposes of assessing identity or confusing similarity under the first element test. [WIPO Overview 3.1](#), section 1.10. The Panel has certainly recognized that this abstract depiction is somewhat inspired by the image of a soldier in camouflage; it can, however, not be interpreted as being spelled out as "loyal soldiers" which are the terms that are reflected in the disputed domain name. Therefore, limited circumstances under which this design trademark could have been exceptionally considered, are not apparent in the case at hand. [WIPO Overview 3.1](#), section 1.10.

Moreover, Complainant did not bring sufficient independent evidence such as news articles, press releases, consumer surveys, or evidence of substantial advertising expenditures that would prove that his LOYAL SOLDIERS brand has become a distinctive identifier over the years in the minds of the public, and so acquired secondary meaning and the status of a common-law trademark for purposes of the Policy.

The Panel, therefore, holds the first element of the Policy has been established, but only in relation to Complainant's LOYAL SOLDIERS registered trademark of 2025.

B. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which 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 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.

First, while Complainant has introduced some evidence of social media activity and following, advertisement, sponsorship contracts, revenue and sales to establish common law rights which predate the registration of the disputed domain name, as discussed above, the evidence provided is limited, and in the circumstances of this case is not sufficient to overcome Respondent's contention that he was unaware of Complainant and, as a domain name investor, registered the disputed domain name for its brandable value.

Second, it is undisputed between the Parties that Respondent registered the disputed domain name already back in 2014 as part of its domain investment business. Also, as discussed above, Respondent's submission is convincing that it acquired the disputed domain name because of its obvious generic nature and, consequently, its value on the domain name market. There are no circumstances in the facts of the case to suggest why Respondent, who is based in Costa Rica, should have been aware in 2014 of the existence of Complainant, which is based in the United Kingdom and carries on business there, and of its LOYAL SOLDIERS trademark. Further, Respondent never approached Complainant with an offer to sell the disputed domain name or otherwise targeted Complainant and/or its business. This leads the Panel to conclude that Respondent's registration and holding of the disputed domain name falls within the category of legitimate domain name investment activity, thereby demonstrating Respondent's rights to and legitimate interests in the disputed domain name under the broader legitimate interests framework recognized in UDRP jurisprudence.

The Panel, therefore, finds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

Third, and as a matter of completeness only, the Panel notes that Respondent obviously also did not register the disputed domain name in bad faith as set forth by paragraph 4(a)(iii) of 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. [WIPO Overview 3.1](#), section 3.2.1. While Complainant has introduced some evidence of pre-2014 commercial activity under the LOYAL SOLDIERS name, this falls well short of establishing that Respondent was aware of, or targeted, Complainant when registering the disputed domain name in 2014. Neither Complainant's company nor its registered LOYAL SOLDIERS trademark existed when the disputed domain name was registered by Respondent back in 2014, and Respondent is based in Costa Rica while Complainant carries on a modest apparel business in the United Kingdom with no demonstrated international profile or reputation that would have brought it to Respondent's attention. In the absence of any credible evidence of targeting, there are no grounds to find that Respondent registered or acquired the disputed domain name primarily for the purpose of selling it specifically to Complainant, within the meaning of paragraph 4(b)(i) of the Policy.

Also, the Panel finds that there is no evidence, as alleged by Complainant, that Respondent has engaged in a "pattern of conduct" under paragraph 4(b)(ii) of the Policy.

The Panel, therefore, holds the third element of the Policy has not been established, either.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.1](#), section 4.16.

Having considered the specific circumstances of this case, the Panel finds that the Complaint has been brought in bad faith and does constitute an attempt at Reverse Domain Name Hijacking.

In this context, the Panel has recognized that through all the years since the registration of the disputed domain name in 2014, Respondent never approached Complainant with any offer or the like to acquire the disputed domain name, presumably because it was not aware of Complainant and its LOYAL SOLDIERS trademark and business in the United Kingdom at all. Rather, it was Complainant who initiated contact with Respondent on April 29, 2026, combining a formal "Notice of Trademark Infringement" filed through the Registrar with an offer to buy the disputed domain for GBP 100.00. When Respondent declined and offered in turn a reduced sales price of USD 999.00 the same day, Complainant went on to initiate this UDRP proceeding right away on May 1, 2026; such close timing, however, may well be interpreted as using the UDRP to increase leverage in negotiations to purchase a domain name at a discount which former UDRP panels have found to be indicative of filing a UDRP Complaint in bad faith (see e.g. *BERNINA International AG v. Domain Administrator, Name Administration Inc. (BVI)*, WIPO Case [D2016-1811](#)). Besides, Complainant argued repeatedly that he owned rights in a United Kingdom national trademark UK00002529719 since before the registration of the disputed domain name, without, however, disclosing that such trademark expired already on October 23, 2019. Finally, on the basis of the fact that the disputed domain name is solely composed of dictionary terms, and may be used for a multitude of purposes, it should have been clear to Complainant that the circumstances of this case did not justify to find that the disputed domain name had been registered *and* used to target Complainant and its LOYAL SOLDIERS business, as it is required for a finding of bad faith under the Policy. Accordingly, Complainant, although not represented by counsel, should have realized that it could not succeed in this UDRP proceeding, and so its Complaint was brought in bad faith within the meaning of paragraph 15(e) of the Policy.

Accordingly, the Panel finds that the Complaint was brought in bad faith and, therefore, finds for a case of Reverse Domain Name Hijacking.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: August 5, 2026