

## ADMINISTRATIVE PANEL DECISION

Last Brand, Inc v. 刘胜利 (Sheng Li Liu)  
Case No. D2026-1927

### 1. The Parties

The Complainant is Last Brand, Inc, United States of America (“United States”), represented by Com Laude Limited, United Kingdom.

The Respondent is 刘胜利 (Sheng Li Liu), China.

### 2. The Domain Name and Registrar

The disputed domain name <quince-usa.com> is registered with Cloud Yuqu LLC (the “Registrar”).

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on May 5, 2026. On May 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 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 May 7, 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 in English on May 7, 2026.

On May 7, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On the same day, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on May 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 6, 2026.

The Center appointed Deanna Wong Wai Man 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, Last Brand, Inc, is a company based in the United States. Founded in 2019, it has traded under the name "Quince" since 2020. The Complainant operates an e-commerce business offering a broad range of products across multiple categories including women's, men's and children's apparel, accessories, footwear, jewelry, homeware, luggage, and beauty and wellness products. The Complainant operates a direct-to-consumer business model, supplying products directly from manufacturers to customers without traditional retail intermediaries. It principally offers its products through its website at "www.quince.com" and has also expanded its online operations to Canada through "www.quince.ca".

The Complainant has received commercial recognition since its launch. In 2023, it was included in Forbes' "Next Billion-Dollar Startups" list, which reported that the Complainant had an estimated revenue of USD 140 million in 2022. In January 2026, the Complainant collaborated with recording artist ASAP Rocky in connection with the promotion of its products.

The Complainant owns trademark registrations for QUINCE in various jurisdictions. These include, for example:

- European Union Trade Mark, No. 01851408, QUINCE, registered on March 26, 2025; and
- International Registration, No. 1851408, QUINCE, registered on March 26, 2025 (based on United States Trademark Application No. 99095113, filed on March 20, 2025).

The disputed domain name <quince-usa.com> was registered on August 6, 2025. At the time of filing of the Complaint, it resolved to an active English-language website displaying the Complainant's QUINCE mark and logo and offering products presented as QUINCE-branded goods. The website also adopted a similar overall appearance to the Complainant's official website. At the time of this Decision, the disputed domain name no longer resolves to an active 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 name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's QUINCE trademark, which it incorporates in its entirety together with the geographical term "usa" and a hyphen. The Complainant argues that the addition of the geographical term does not prevent a finding of confusing similarity and instead reinforces an association with the Complainant, a United States company.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant states that it has not authorized the Respondent to use its QUINCE trademark, that the Respondent is not commonly known by the disputed domain name, and that the Respondent is not making a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name. The Complainant further contends that the disputed domain name carries a risk of implied affiliation with the Complainant and that the Respondent's use does not satisfy the criteria for nominative fair use by a reseller.

The Complainant also contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that the Respondent registered the disputed domain name with knowledge of the Complainant and its QUINCE trademark and intentionally used it to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark. In support, the Complainant points to the Respondent's use of a website displaying the Complainant's branding, logo, product images, and overall website appearance, the absence of any disclaimer, and evidence of actual consumer confusion.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1. Preliminary Issue: Language of the Proceeding**

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including that the website to which the disputed domain name resolved was entirely in English, the disputed domain name itself is in English and targets the United States market, and requiring the Complaint to be translated into Chinese would impose an unnecessary burden on the Complainant.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview of WIPO Panel Views on Select UDRP Questions \("WIPO Overview 3.1"\)](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

## 6.2. Decision on the Merits

### 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.

Although the addition of other terms here, "-usa", 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.

The Panel notes that the Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its QUINCE trademark or to register a domain name incorporating that trademark. Further, there is no evidence that the Respondent is in any way affiliated with, or otherwise has any relationship with, the Complainant or that the Respondent has been commonly known by the disputed domain name. Instead, based on the evidence, the disputed domain name was previously used for a website displaying the Complainant's QUINCE trademark and logo and offering products presented as QUINCE-branded goods for sale, while adopting a similar overall appearance to the Complainant's official website, thereby falsely suggesting an affiliation with the Complainant. Panels have consistently held that the use of a domain name for illegal activity, including impersonation or passing off, can never confer rights or legitimate interests on a respondent. See section 2.13.1 of the [WIPO Overview 3.1](#).

The Panel further notes that the disputed domain name consists of only two parts (i) the Complainant's QUINCE trademark in its entirety, together with (ii) the common geographical acronym "usa", separated by a hyphen. In the circumstances of the case, the Panel accepts the Complainant's argument that the disputed domain name carries a risk of implied affiliation with the Complainant, as the nature of the disputed domain name itself suggests that the disputed domain name is associated with the Complainant's United States business. The composition of the disputed domain name therefore falsely suggests sponsorship, endorsement, or authorization by the Complainant and does not support any finding of rights or legitimate interests on the part of the Respondent. See section 2.5.1 of the [WIPO Overview 3.1](#).

As to the fact that the disputed domain name currently directs to an inactive webpage, the Panel finds that holding the disputed domain names passively, without making any use of them, does not confer any rights or legitimate interests in the disputed domain names on the Respondent in the circumstances of this case (see in this regard earlier UDRP decisions such as *Bollore SE v. 赵竹飞 (Zhao Zhu Fei)*, WIPO Case No. [D2020-0691](#); and *Vente-Privee.Com and Vente-Privee.com IP S.à.r.l. v. 崔郡 (jun cui)*, WIPO Case No. [D2021-1685](#)).

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 disputed domain name was registered after the Complainant had established rights in its QUINCE trademark. Given the composition of the disputed domain name, which incorporates the Complainant's QUINCE trademark in its entirety together with the geographical term "usa", the Panel finds that the Respondent was, on the balance of probabilities, aware of the Complainant and its trademark rights when registering the disputed domain name. A simple Internet search, or a search of publicly available trademark records, conducted prior to registration would have easily disclosed the Complainant's rights. More importantly, this finding is confirmed by the Respondent's subsequent use of the disputed domain name for an impersonation website displaying the Complainant's QUINCE trademark and logo, adopting a similar overall appearance to the Complainant's official website, and offering products presented as QUINCE-branded goods. In these circumstances, the Panel finds that the disputed domain name was registered in bad faith.

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, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The Panel accepts the Complainant's argument that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's QUINCE trademark as to the source, sponsorship, affiliation, or endorsement of the website to which the disputed domain name resolved and the products offered on it. The Respondent used the disputed domain name for a website displaying the Complainant's QUINCE trademark and logo, adopting a similar overall appearance to the Complainant's official website, and offering products presented as QUINCE-branded goods for sale. Such use falls squarely within the circumstances contemplated by paragraph 4(b)(iv) of the Policy. In addition, panels have consistently held that the use of a domain name for illegal activity, including the operation of a website falsely suggesting an affiliation with the complainant or otherwise passing itself off as the complainant, constitutes evidence of bad faith. See section 3.4 of the [WIPO Overview 3.1](#).

As to the current inactive status of the website at the disputed domain name, panels have found that the non-use of a domain name (including a blank or “coming soon” page) 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 trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 name <quince-usa.com> be transferred to the Complainant.

*/Deanna Wong Wai Man/*

**Deanna Wong Wai Man**

Sole Panelist

Date: June 24, 2026