ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Lattafa Perfumes Ind. LLC v. Mithat Sahatciu
Case No. D2026-1944

1. The Parties

The Complainant is Lattafa Perfumes Ind. LLC, United Arab Emirates, represented by Cabinet Bouchara, France.

The Respondent is Mithat Sahatciu, Albania.

2. The Domain Name and Registrar

The disputed domain name <lattafa-distribution.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 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 on May 7, 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 11, 2026. The Respondent sent an email communication to the Center on June 11, 2026.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on June 18, 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, Lattafa Perfumes Ind. LLC, is a company based in the United Arab Emirates, active in the perfumery industry, specializing in Arabic fragrances.

The Complainant states that its name and trademark LATTAFA derive from the Arabic words “Latif” and “Lateefa”, reflecting the luxury and elegance of Arabian culture.

The Complainant owns trademark registrations for LATTAFA, including European Union trademark No. 018125528, filed on September 17, 2019, and registered on February 18, 2020; and European Union trademark No. 019157728, filed on March 17, 2025, and registered on July 7, 2025.

The Complainant also owns and operates domain names incorporating the LATTAFA mark, including <lattafa.com>, registered on December 27, 2011.

The disputed domain name <lattafa-distribution.com> was registered on May 29, 2025.

The disputed domain name resolves to a website reproducing the Complainant’s LATTAFA trademark and company name, and purportedly offering for sale products identified with the Complainant’s trademark. The Terms and Conditions section of the website refers that “This website is operated by Lattafa.”

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:

(i) The disputed domain name is confusingly similar to the Complainant’s trademark. The Complainant asserts rights in the LATTAFA trademark, which is registered in several jurisdictions, including the European Union, for goods including perfumes and fragrances. The disputed domain name incorporates the LATTAFA trademark in its entirety, with the mere addition of the term “distribution” separated by a hyphen, and the generic top-level domain “.com”. The addition of the term “distribution” does not prevent a finding of confusing similarity, and rather reinforces an association with the Complainant, because it suggests a website connected with the distribution or sale of “Lattafa” products. Internet users encountering the disputed domain name would likely believe that it is operated by, affiliated with, or authorized by the Complainant. Furthermore, the use of the disputed domain name in connection with webpages purportedly selling the Complainant’s products and reproducing the Complainant’s trademark and company name affirms the confusing similarity between the disputed domain name and the Complainant’s trademarks and company.

(ii) The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with the Complainant, has not been authorized or licensed to use the LATTAFA trademark, and is not commonly known by the disputed domain name. The Respondent is not making a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name. The Respondent’s website reproduces the Complainant’s trademark and company name and purports to offer

"Lattafa" products, thereby misleading Internet users into believing that the website relates to the Complainant. The Respondent could not have ignored the Complainant's trademarks at the time it registered the disputed domain name since the Complainant had already been highly active throughout the world for many years and uses the name company and unofficial products on the website.

(iii) The disputed domain name was registered and is being used in bad faith. The Complainant asserts that its LATTAFA trademark predates the registration of the disputed domain name, and that the Respondent must have been aware of the Complainant and its trademark when registering the disputed domain name. The composition of the disputed domain name, combining the LATTAFA trademark with the term "distribution", shows an intent to target the Complainant and to create a false impression of affiliation with the Complainant or an authorized distributor of "Lattafa" products. Indeed, the disputed website strictly reproduces, without any authorization, the Complainant's trademark and products on all its pages. Across several pages, including the landing page, the website at the disputed domain name highly suggests that the Respondent itself is the owner of the Complainant's trademark. Therefore, the Respondent has used the disputed domain name to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. This is further supported by the fact that the Respondent deliberately chose to dissimulate its identity by means of a privacy protection service, is an additional indication of the Respondent's bad faith and intent to use the disputed domain name in a way which may be abusive or otherwise detrimental to the Complainant and its rights.

B. Respondent

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

The Respondent sent a late informal reply by email, where the Respondent affirms that he purchased the disputed domain name in good faith through the normal registration process and believes that he is the lawful owner of the disputed domain name.

In the same email message, the Respondent formulated several questions to the Center about the proceeding, which he requested to be answered before any final decision is made.

Although the response was sent after the expiry of the deadline granted to the Respondent and does not meet the requirements of paragraph 5 of the Rules, the Panel takes the liberty of considering it when rendering this decision.

However, the questions about the proceeding formulated by the Respondent after the expiration of the deadline for response cannot prevent it from following the due progress provided for in the Policy. Also, the answers to all his questions could be found in the "Notification of Complaint and Commencement of Administrative Proceeding" appropriately sent to the Respondent and in the text of the Policy and Rules, whose respective links were included in the same notification.

Thus, we move on to address the Discussion and Findings of the present case.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:
(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
(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 Selected UDRP Questions, Third Edition ("WIPO Overview 3.1"), section 1.7.

Based on the available record, the Panel finds 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 trademark LATTAFA is wholly encompassed within the disputed domain name, together with the suffix "-distribution", as well as with the generic Top Level-Domain ("gTLD") extension ".com". 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 symbols and other terms (here, "-distribution") may bear on assessment of the second and third elements, the Panel finds that such additions do 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 Complainant has not licensed nor authorized the use of its famous trademark to the Respondent, and the Panel finds no indication that the Respondent is commonly known by the disputed domain name.

Furthermore, the Complainant has shown that the disputed domain name is linked to a website reproducing the Complainant's LATTAFA trademark and company name, and purportedly offering for sale products identified with the Complainant's trademark. However, according to the Complainant, the Respondent is not an authorized service provider, nor has it obtained any permission for such use of trademark. Such use cannot be considered as a legitimate noncommercial or fair use of the disputed domain name. WIPO Overview 3.1, section 2.5.3.

Panels have held that the use of a domain name for illegitimate activity, here, passing off, can never confer rights or legitimate interests on a respondent. 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.

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 concludes that it is not feasible that the Respondent was not aware of the Complainant's trademark and that the registration of the disputed domain name was a mere coincidence.

Annexes 4.1 and 4.2 to the Complaint show registrations for the LATTAFA trademark obtained by the Complainant as early as in 2020. When the disputed domain name was registered (in 2025), the LATTAFA trademark was already connected with the Complainant's Arabic fragrances.

The disputed domain name includes the famous trademark LATTAFA in its entirety, just adding the suffix "-distribution". In fact, the adoption of the term "-distribution" amplifies the potential for confusion in the present case, suggesting that the website linked to the disputed domain name is an official distribution channel for the Complainant's products.

Furthermore, according to the WIPO Overview 3.1, section 3.1.4, UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

Actually, the content at the website linked to the disputed domain name, including reproductions of the Complainant's trademark and products, make it clear that the Respondent intentionally attempted to attract the Complainant's customers, for commercial gain, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website.

Finally, the absence of any justification of the use of the trademark – even in the informal response submitted by email to the Center – further support a finding of bad faith in the present case. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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 <lattafa-distribution.com> be transferred to the Complainant.

/Rodrigo Azevedo/
Rodrigo Azevedo
Sole Panelist
Date: July 2, 2026