

ADMINISTRATIVE PANEL DECISION

Ark Technologies Pty Ltd v. Alexander Lopez, MARCLAIN LLC
Case No. D2026-2052

1. The Parties

The Complainant is Ark Technologies Pty Ltd, Australia, represented by Mallesons Law firm, Australia.

The Respondent is Alexander Lopez, MARCLAIN LLC, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <cettirelondon.com> is registered with Hosting Concepts B.V. d/b/a Openprovider (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 13, 2026. The Complaint as filed did not identify the Respondent or its contact details, noting that these were concealed by a privacy service. The Center transmitted its request for registrar verification to the Registrar the same day. On May 14, 2026, the Registrar transmitted to the Center its verification response disclosing registrant and contact information for the disputed domain name. The Center sent an email to the Complainant on May 19, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to amend the Complaint. The Complainant filed an amended Complaint on May 21, 2026.

The Center verified that 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 16, 2026.

The Center appointed Jonathan Turner as the sole panelist in this matter on June 29, 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 has operated a luxury retail platform from its website at “www.cettire.com” under the brand CETTIRE since 2017 in conjunction with an associated company, Cettire Limited. The business has over 700,000 active customers in more than 50 markets, a catalogue of 2,500 luxury brands and over 500,000 products. The website receives millions of visits every month.

The Complainant has registered the mark CETTIRE in Australia under no. 2039312 in Class 35 since September 24, 2019, under no. 2190369 in classes 1-34 and 36-45 since June 29, 2021, and under no. 2238453 in class 35 since December 22, 2021.

The Complainant has also registered this mark in class 35 in the United States under no. 6708945 since April 26, 2022, in New Zealand under no. 1167756 since October 4, 2022, and in the Republic of Korea under no. 4020240053194 since April 22, 2024.

According to the Whois data, the disputed domain name was created on March 29, 2026. It resolves to a website which purports to offer fashion products using the brand CETTIRE extensively in a similar font, colour, and case to those used by the Complainant, namely sans serif, black capitals.

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 consists of the Complainant's distinctive, well-known mark together with descriptive elements (“london” and the generic Top-Level Domain suffix), and is confusingly similar to that mark.

The Complainant characterizes the Respondent's website as impersonating the Complainant and contends that it is not a bona fide offering of goods or services, even if the Respondent is genuinely selling any products, which the Complainant doubts. The Complainant also contends that the Respondent is not commonly known by the disputed domain name or any corresponding name and is not making any legitimate noncommercial or fair use of it.

The Complainant contends that the Respondent registered and is using the disputed domain name in bad faith for an illegitimate activity such as phishing and/or to attract Internet users for commercial gain by confusion with the Complainant's mark.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has shown it has registered rights in the mark CETTIRE 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, together with entirely descriptive elements. 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 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 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 identifies circumstances 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 finds on the balance of probabilities that by using the disputed domain name the Respondent has intentionally attempt to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship affiliation or endorsement of the Respondent's website.

In accordance with paragraph 4(b)(iv) of the UDRP this constitutes evidence of registration and use of the disputed domain name in bad faith. There is no evidence displacing this presumption. Accordingly, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning 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 <cettirelondon.com> be transferred to the Complainant.

/Jonathan Turner/

Jonathan Turner

Sole Panelist

Date: July 13, 2026