

ADMINISTRATIVE PANEL DECISION

TR Holding, LLC v. Xu Junxiu

Case No. D2026-2114

1. The Parties

The Complainant is TR Holding, LLC, United States of America (“United States”), represented by Fross Zelnick Lehrman & Zissu, P.C., United States.

The Respondent is Xu Junxiu, China.

2. The Domain Name and Registrar

The disputed domain name <therowshop.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 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 21, 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 21, 2026.

On May 21, 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 May 21, 2026, the Complainant requested English to 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 26, 2026. In accordance with the

Rules, paragraph 5, the due date for Response was June 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 17, 2026.

The Center appointed Jonathan Agmon as the sole panelist in this matter on June 23, 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 is a United States company that owns the trademarks and other intellectual property rights associated with trademark THE ROW. The Complainant sells luxury fashion products including, clothing, outerwear, shoes, handbags, accessories, and home goods under THE ROW trademark. The business was established in 2005 by Ashley Olsen and Mary-Kate Olsen.

The brand has been recognized and has received multiple awards from the Council of Fashion Designers of America (CFDA), including Women's Wear Designer of the Year in 2012 and 2015, and Accessories Designer of the Year in 2014, 2018, 2019, and 2025. The Complainant's products are regularly featured in major publications including Vogue, The Economist, and Harper's Bazaar, and are sold through flagship retail stores and select high-end retailers worldwide including Bergdorf Goodman, Neiman Marcus, Selfridges, and Harrods, as well as through the Complainant's own website at "www.therow.com", which has been in active use since 2010.

The Complainant owns numerous United States trademark registrations for THE ROW, including the following:

- THE ROW, United States Registration No. 3858397, registered October 5, 2010;
- THE ROW, United States Registration No. 4123159, registered April 3, 2012;
- THE ROW, United States Registration No. 4672298, registered January 13, 2015; and
- THE ROW, United States Registration No. 4132367, registered April 24, 2012.

The Complainant additionally holds trademark registrations for THE ROW in jurisdictions around the world.

The disputed domain name <therowshop.com> was registered on May 16, 2024. At the time of the Complaint, the disputed domain name resolved to a website with the title "Shop THE ROW Clothing & Shoes Online - Best Price!" The website prominently displayed the THE ROW mark, used a presentation similar to the Complainant's website, and purported to offer THE ROW clothing and products, with product images copied directly from the Complainant's website, while featuring incorrect pricing, incorrect product names, and incorrect SKU numbers inconsistent with the Complainant's genuine product listings.

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 THE ROW marks, as it incorporates the mark in its entirety (minus the space), and adds the descriptive term "shop", which does not prevent confusing similarity;

(ii) the Respondent has no rights or legitimate interests in the disputed domain name, as the Complainant has not authorized the Respondent to use the THE ROW marks, and the Respondent's website purports to pass itself off as an official THE ROW website by displaying the Complainant's THE ROW mark and logo, reproducing product images, and purporting to offer THE ROW-branded goods for sale. The Respondent's website unquestionably trades on the recognition of the Complainant's THE ROW marks and as such could not constitute bona fide use; and

(iii) the disputed domain name was registered and is being used in bad faith, as the Respondent registered the disputed domain name after the Complainant had established rights in the THE ROW marks and has used it to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark, including through a website that the Complainant says offers likely counterfeit goods and uses images copied from the Complainant's website.

B. Respondent

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

6. Discussion and Findings

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 the fact that: the disputed domain name is in English, the website to which the disputed domain name resolved was entirely in English, prices for items offered on the website were listed in United States dollars, and the "Contact Us" section of the website listed an address in Nevada, United States.

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. The Panel finds that conducting the proceeding in English will not prejudice the Respondent in the circumstances of this case, and that requiring translation of all documents into Chinese would impose unnecessary delay and expense.

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 the THE ROW trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name incorporates the Complainant's THE ROW mark in its entirety, adding the term "shop". The addition of the descriptive term "shop" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's mark. [WIPO Overview 3.1](#), section 1.8.

The generic Top-Level Domain ".com" is a standard registration requirement and is disregarded for the purposes of the comparison under the first element. [WIPO Overview 3.1](#), section 1.11.

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.

The Complainant has stated that it has not authorized the Respondent to use the THE ROW mark, that there has never been any relationship between the Complainant and the Respondent, and that the Respondent is not an authorized seller, supplier, or manufacturer of the Complainant's goods. There is no evidence before the Panel that the Respondent has been commonly known by the disputed domain name, or that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name.

Additionally, the Respondent's use of the disputed domain name to operate an online store that purports to offer the Complainant's products and using the Complainant's copyrighted pictures without authorization can never constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use under paragraph 4(c) of the Policy. [WIPO Overview 3.1](#), section 2.13.1.

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

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out non-exhaustive circumstances which, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith. These include, under paragraph 4(b)(iv) of the Policy, circumstances indicating that the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or of a product or service on that website.

The Panel finds that the Respondent was aware of the Complainant and its THE ROW mark when registering the disputed domain name. The Complainant's registered rights predate the registration of the disputed domain name by many years and has a global retail presence. The disputed domain name incorporates the Complainant's THE ROW mark in its entirety with the addition of the term "shop", and the

associated website presented extensively replicated the look and feel of the Complainant's official website, and displayed product images associated with the Complainant's goods. This use indicates that the Respondent registered the disputed domain name with the Complainant's mark in mind.

The Respondent's use of the disputed domain name falls squarely within paragraph 4(b)(iv) of the Policy. The Respondent operated a website that extensively replicated the look and feel of the Complainant's genuine website, displayed the Complainant's branding and product images without authorization, and purported to sell what the Complainant has termed as fake products at significant discounted prices. Such conduct is plainly designed to attract Internet users to the Respondent's website for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website and its content.

The Respondent did not submit any response or provide any explanation for its registration and use of the disputed domain name. In the circumstances, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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

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 <therowshop.com> be transferred to the Complainant.

/Jonathan Agmon/

Jonathan Agmon

Sole Panelist

Date: July 3, 2026