

ADMINISTRATIVE PANEL DECISION

Albir Hills Resort SAU v. Lia Baumgartner, Swiss-Health Alliance (SHA)
Case No. D2026-2156

1. The Parties

The Complainant is Albir Hills Resort SAU, Spain, represented by PADIMA TEAM SLP, Spain.

The Respondent is Lia Baumgartner, Swiss-Health Alliance (SHA), Switzerland.

2. The Domain Names and Registrars

The disputed domain names <sha-ngo.com> and <sha-verrein.com> are registered with 1API GmbH (the “Registrar”).

The disputed domain name <sha-messe.com> is registered with Key-Systems GmbH (collectively, the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 19, 2026. On May 19, 2026, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On May 20, 2026, the Registrars transmitted by email to the Center their verification responses, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Hidden) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 22, 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 26, 2026.

The Center verified that the Complaint together with the amended Complaint complied with 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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 19, 2026.

The Center appointed Christiane Féral-Schuhl 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 Spanish company operating in the highly specialized luxury health and wellness sector, with facilities located in Spain, Mexico, and the United Arab Emirates. The Complainant has received numerous awards and recognitions in connection with its activities.

The Complainant is the owner of several trademarks for SHA (the “SHA Trademarks”), including:

- International figurative trademark SHA, No. 936097, registered on July 27, 2007, for services in Classes 43 and 44;
- European Union figurative trademark,  No. 009090572, registered on October 26, 2010, for goods and services in Classes 3, 43 and 44; and
- European Union word trademark SHA, No. 006115761, registered on September 23, 2010, for goods and services in Classes 3, 43, and 44.

The Complainant also operates an official website under the domain name <shawellness.com>.

The disputed domain names were registered by the Respondent on the following dates:

- <sha-verrein.com> on August 21, 2024;
- <sha-messe.com> on December 4, 2025; and
- <sha-ngo.com> on July 25, 2023.

The disputed domain names resolve to content relating to the Respondent, Swiss-Health Alliance and its alleged activities in the health and humanitarian aid sector, and are expressly interconnected through cross-references between the websites. In particular, the website associated with <sha-messe.com> redirects users to <sha-verrein.com>, while the website associated with <sha-verrein.com> displays contact details using the email domain “[...]@sha-ngo.com”. The websites associated with the disputed domain names also display content and images taken from the Complainant’s website. This includes a brochure containing photographs appearing on the Complainant’s website and links redirecting users to the Complainant’s website. The website at the domain name <sha-verrein.com> also features the Complainant’s official domain name <shawellness.com> among the domain names presented as associated with the Respondent. The Respondent also publishes a brochure referring to the Complainant’s establishments, using the SHA Trademarks without authorization, and making extensive references to the Complainant’s business methods and commercial activities.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the SHA Trademarks because these trademarks remain readily recognizable within each of the disputed domain names. According to the Complainant, the inclusion of additional terms such as “messe”, “ngo”, and “verrein”,

does not prevent the confusing similarity. The Complainant states that “messe” means “fair”, “ngo” is the acronym for non -governmental organization and “verein” means “club/organization”.

The Complainant further maintains that it has never granted the Respondent permission to use the SHA Trademarks and that there is no evidence that the Respondent possesses any independent trademark or service mark rights in the designation “SHA”. The Complainant contends that the Respondent is intentionally seeking to capitalize on the reputation associated with the SHA Trademarks. In support of this position, the Complainant notes that the disputed domain names reproduce the SHA Trademarks in full and that the corresponding websites allegedly copy the Complainant’s name, content, and images without authorization, while also displaying documents referring to the Complainant’s business activities, including photographs, references to the Complainant’s establishments, and descriptions of its business methods and commercial activities.

Finally, the Complainant asserts that the disputed domain names were all registered and are used in bad faith. The Complainant argues that, given the Respondent’s involvement in the broader health and wellness sector, it is unlikely that the Respondent was unaware of the Complainant and its trademark rights when the disputed domain names were registered. Rather, the circumstances suggest that the Respondent had actual knowledge of those rights and deliberately registered the disputed domain names to target the Complainant and its marks. The Complainant also points out that the websites associated with the disputed domain names not only incorporate the SHA Trademarks but also contain links directing users to the Complainant’s official website without authorization. According to the Complainant, this conduct creates a false impression of association or endorsement and further demonstrates an attempt by the Respondent to benefit from the goodwill attached to the SHA Trademarks.

B. Respondent

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

6. Discussion and Findings

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 Select UDRP Questions (“[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 Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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, “verein”, “ngo” and “messe” may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Further, the generic Top-Level Domain “.com” is a standard registration requirement.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Indeed, it appears that the Complainant has neither licensed nor otherwise authorized the Respondent to use its SHA Trademarks, nor is there any indication that the Respondent holds any trademark or service mark rights in the term “SHA”. Moreover, the Respondent is using the disputed domain names in a manner that targets the Complainant’s trademark and seeks to capitalize on its reputation and goodwill. The disputed domain names reproduce the Complainant’s SHA Trademarks and display content and images taken from the Complainant’s website without authorization. In addition, the disputed domain name <sha-verrein.com> contains links redirecting Internet users to the Complainant’s website, thereby creating the impression that the Respondent is affiliated, associated, or otherwise connected with the Complainant. Furthermore, this disputed domain name also contains a brochure referring to the Complainant’s business, including its trademarks, methods, and services. In particular, the websites associated with the disputed domain names make available a brochure containing photographs taken from the Complainant’s website, links redirecting users to the Complainant’s website, references to the Complainant’s establishments in Spain and Mexico, and extensive descriptions of the Complainant’s retreat programmes and services. The Panel took note that the websites state to be related to the activities of the Respondent organization, Swiss-Health Alliance (SHA). Even if such an organization exists, the registration of a matching name with the competent authorities without further evidence of a legitimate business cannot give rise to rights or legitimate interests. Taken together, the circumstances above support the conclusion that the Respondent’s use of the disputed domain names does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the actual intention behind such registration and use appears to have been to target the Complainant and capitalize on the reputation and goodwill attaching to its mark.

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 names were registered well after the registration and use of the SHA Trademarks. The Panel further notes that the content of the websites associated with the disputed domain names supports a finding of bad faith. In particular, the disputed domain names reproduce the Complainant’s SHA Trademarks and have been used to display content and images copied from the Complainant’s website without authorization. In addition, at least one of the disputed

domain names contains links redirecting Internet users directly to the Complainant's official website, despite the absence of any authorization or relationship between the Parties.

In the Panel's view, these circumstances demonstrate that the Respondent was aware of the Complainant and its trademark rights when registering the disputed domain names.

The Respondent appears to have deliberately targeted the Complainant and its trademarks and to be using the disputed domain names to create a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the associated websites. The Panel therefore finds that the Respondent has intentionally attempted to attract Internet users, for commercial gain, by creating a likelihood of confusion with the SHA Trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites or of the products and services promoted thereon.

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 names <sha-messe.com>, <sha-ngo.com>, and <sha-verein.com> be transferred to the Complainant.

/Christiane Féral-Schuhl/

Christiane Féral-Schuhl

Sole Panelist

Date: July 6, 2026