

ADMINISTRATIVE PANEL DECISION

The Pekoe Group v. Rucha Mate, Wests Group Macarthur Case No. D2026-2268

1. The Parties

The Complainant is The Pekoe Group, United States of America, represented by Proskauer Rose, LLP, United States of America.

The Respondent is Rucha Mate, Wests Group Macarthur, Australia.

2. The Domain Name and Registrar

The disputed domain name <thepekeogroup.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 26, 2026. On May 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 27, 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 (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 28, 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 amendment to the Complaint on May 28, 2026.

The Center verified that the Complaint together with the amendment to the 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 June 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 26, 2026.

The Center appointed Jane Lambert as the sole panelist in this matter on July 6, 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 an advertising and marketing agency based in New York City, United States of America. It has departments in advertising, digital, promotions, social media, websites and design. It has traded as "THE PEKOE GROUP" since 2009.

Its clients include the promoters of such shows as "SIX: The Musical, The Play That Goes Wrong, Avenue Q, Natasha, Pierre & The Great Comet of 1812" and "Rock of Ages", as well as the New York Theatre Workshop and the Brooklyn Botanic Garden. The page from its website in Annex 4 of the Complaint states that the Complainant has worked with some of New York City's finest restaurants, cultural institutions and the Mayor's Office for Media and Entertainment. It has received industry awards including multiple 2025 Telly Awards, which have attracted considerable media attention. It has operated a website at "www.thepekoegroup.com" for over a decade.

The Complainant is a certified Women-Owned Business Enterprise in New York City and New York State.

Having marketed and supplied advertising and related services as THE PEKOE GROUP in New York City for 17 years, the public and trade associate those words in relation to those services with the Complainant.

The disputed domain name was registered on February 25, 2026. The Respondent has used the disputed domain name to email the Complainant's clients, impersonate the Complainant's employees and solicit payments. Examples of such emails are annexed to the Complaint.

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 it has acquired the goodwill subsisting in THE PEKOE GROUP in relation to advertising and related services in New York through extensive trading and marketing.

The disputed domain name is confusingly similar to THE PEKOE GROUP, the only difference being the switching of the "e" and "o" in "Pekoe".

The Respondent is not, and has never been, commonly known as "The Pekeo Group" or "The Pekoe Group." There is no evidence of any legitimate business operated by the Respondent under either name. The Respondent has impersonated the Complainant by using the disputed domain name as an email address, sending emails to the Complainant's clients, impersonating its employees and soliciting money.

B. Respondent

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

6. Discussion and Findings

The agreement for the registration of the disputed domain name incorporates paragraph 4(a) of the Policy:

“Applicable Disputes. You are required to submit to a mandatory administrative proceeding in the event that a third party (a “complainant”) asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present.”

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 Panel finds the Complainant has established unregistered trademark or service mark rights in THE PEKOE GROUP for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.3. The Complainant has acquired such rights through marketing and supplying advertising and related services in New York City for 17 years.

The Panel finds the mark is recognizable within the disputed domain name which is a typosquatted version of said mark. Accordingly, the disputed domain name is confusingly similar to THE PEKOE GROUP trademark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.9.

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.

Panels have held that the use of a domain name for illegal activity here, claimed as 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

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.

Panels have held that the use of a domain name for here, claimed passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. The Panel also finds that the nature of the disputed domain name – a typosquatted version of the Complainant's trademark – further suggests bad faith. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <thepekeogroup.com> be transferred to the Complainant.

/Jane Lambert/

Jane Lambert

Sole Panelist

Date: July 20, 2026