

ADMINISTRATIVE PANEL DECISION

Petrossian Inc. v. George White, Justin Howard, kayleighs kayleighs
Case No. D2026-2592

1. The Parties

Complainant is Petrossian Inc., United States of America ("United States"), represented by Areopage, France.

Respondents are George White, Justin Howard, and kayleighs kayleighs, all United States.

2. The Domain Names and Registrars

The disputed domain names <buypetrossian.shop> and <petrossianhq.shop> are registered with Dynadot Inc.

The disputed domain name <petrossiansselect.shop> is registered with Spaceship, Inc. (together the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 15, 2026. On June 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 15, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown) and contact information in the Complaint.

The Center sent an email communication to Complainant on June 16, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on June 19, 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 Respondents of the Complaint, and the proceedings commenced on June 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 15, 2026. Respondents did not submit any response. Accordingly, the Center notified Respondents' default on July 16, 2026.

The Center appointed Georges Nahitchevansky as the sole panelist in this matter on July 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

Complainant, Petrossian Inc., is in the business of selling caviar, smoked fish, seafood specialties and a variety of high-quality, specialty foods. Complainant also operates several restaurants, boutiques and corner shops in different cities around the world. Complainant uses the name and mark PETROSSIAN in connection with its products and services and owns a number of trademark registrations for the PETROSSIAN mark in the United States. These include Registration Nos. 1191779 (which issued to registration on March 9, 1982), 2340463 (which issued to registration on April 11, 2000), and 1337271 (which issued to registration on May 21, 1985). Complainant also owns and uses the domain name <petrossian.com> for a website concerning Complainant and its products and services and to offer Complainant's products for sale online to American consumers.

Respondents, who all appear to be based in the United States, registered the disputed domain names between March 9, 2026, and May 21, 2026. At some point after the disputed domain names were registered all three disputed domain names were used with websites offering Petrossian products, such as caviar and smoked salmon, for sale at steeply discounted prices. Currently, the websites at the disputed domain names, with the exception of <petrossianselect.shop>, remain accessible.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Complainant contends that it has strong rights in its PETROSSIAN mark through its use for over a century in connection with luxury food items such as caviar, its many trademark registrations for the PETROSSIAN mark, and the worldwide notoriety the PETROSSIAN mark has attained as "a leading luxury brand for caviar and fine food". Complainant also notes that a prior UDRP panel has found the PETROSSIAN mark to be well-known in relation to fine foods, namely, caviar.

Complainant maintains that all three disputed domain names are owned or controlled by the same party and has requested consolidation of all three Respondents in this proceeding.

Complainant contends that the disputed domain names are identical or confusingly similar to Complainant's PETROSSIAN mark as the PETROSSIAN mark is reproduced in each disputed domain name with the addition of non-distinguishing descriptive terms.

Complainant argues that Respondents do not have rights or legitimate interest in the disputed domain names as Respondents (i) own no rights in the PETROSSIAN mark, (ii) are not commonly known by the disputed domain names and (iii) have no affiliation or association with, or license from, Complainant.

Lastly, Complainant asserts that Respondents have registered and used the disputed domain names in bad faith in view of the well-known character of the PETROSSIAN mark and given that Respondents “perfectly knew that they had no rights or legitimate interests in the disputed domain names and that they cannot lawfully use them”. Complainant further contends that Respondents are engaged in “retail phishing” by using the disputed domain names with websites that impersonate Complainant and which deliberately create the false impression that the associated websites are operated by Complainant in order to attract and induce consumers into placing orders and providing payment and other information for Respondents’ commercial gain. Complainant also argues that the party behind all three disputed domain names has “repeatedly adapted its conduct in response to the Complainant’s enforcement efforts, registering new domain names whenever access through a previous domain name was blocked”.

B. Respondents

Respondents did not reply to Complainant’s contentions.

6. Preliminary Consideration Regarding the Request for Consolidation of Respondents

In this proceeding, the disputed domain names are registered under the names of three different Respondents. Complainant contends that the three disputed domain names are under common control and has, as such, submitted a request for consolidation of Respondents in the same proceeding.

In determining whether a single consolidated complaint can be brought against multiple respondents, panels typically look at whether (i) the disputed domain names or the corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. See section 4.11.2, Overview of WIPO Panel Views on Selected UDRP Questions ([“WIPO Overview 3.1”](#)).

Based on the evidence submitted, none of which is contested by Respondents, the Panel accepts Complainant’s contention that the disputed domain names are subject to common control. All three disputed domain names were registered closely in time and share the same “.shop” general Top-Level Domain extension. Moreover, the <petrossianselect.shop> and <petrossianhq.shop> disputed domain names have resolved to the identical website and the <buypetrossian.shop> disputed domain name has resolved to a website that contains many of the same features and content as the website at the other two disputed domain names. These include, by way of example, promotion of the same products, offers with similar steep discounts, identical customer reviews and “Contact Us” details, and commonalities between the text and images on the respective websites.

Under the circumstances, the Panel finds that consolidation would be fair and equitable to all parties. (Respondents in this proceeding will hereinafter be referred to collectively as “Respondent” in the singular form.)

7. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names were registered and are 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 Complainant's trademark and the disputed domain names. [WIPO Overview 3.1](#) at section 1.7.

Complainant has shown rights in its PETROSSIAN mark for purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Here, the PETROSSIAN mark is fully incorporated and clearly visible in each of the disputed domain names. Although the addition of other terms such as "select", "hq" (the abbreviation for headquarters), and "buy" may bear on the 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 PETROSSIAN mark for 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 a 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 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 that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent, who has chosen not to appear in this proceeding, has not rebutted 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.

Here, the disputed domain names are clearly based on Complainant's PETROSSIAN mark and name and include descriptive terms such as "buy", "select", or "hq" that reinforce a connection to the PETROSSIAN brand. As such, the disputed domain names are more than likely to be mistakenly seen by consumers as related to Complainant and/or its products and services. Additionally, all three disputed domain names resolve to websites that essentially impersonate Complainant and purport to offer for sale Complainant's products at steeply discounted prices. The websites, for example, use much language that is meant to suggest the websites are operated by Complainant and include an email address at the "Contact Us" page that is based on Complainant's <petrossian.com> domain name.

Although it is not clear from the evidence submitted whether Respondent's websites actually sell genuine or counterfeit versions of Complainant's products, or are instead phishing vehicles to obtain credit card and other information from unsuspecting customers, what has been provided by Complainant puts into question the legitimacy of Respondent's action. Certainly, the offering of Complainant's luxury food products, such as high-end caviar, at steeply discounted prices is suspicious on its face and suggests that the disputed domain names may be being used for deceptive purposes.. That this may in fact be the case is further underscored by the fact that Respondent has used the disputed domain names with websites that impersonate Complainant and by Respondent's failure to come forward with any evidence justifying its actions.

In all, the evidence before the Panel, at the very least, confirms that Respondent has used the disputed domain names and associated websites to conjure up Complainant and its products to attract and mislead consumers into believing there is a connection with Complainant when none exists. Such use of the disputed domain names for the profit of Respondent is not a legitimate interest. [WIPO Overview 3.1](#) at section 2.5.3.

The Panel thus 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 view of Respondent's actions, and failure to appear in this proceeding, it is easy to infer that Respondent's registration and use of the disputed domain names, which are clearly based on Complainant's well-known PETROSSIAN mark and name, has been done opportunistically and in bad faith for the benefit or profit of Respondent. The disputed domain names and associated websites essentially impersonate Complainant, were registered well after Complainant had established rights in its PETROSSIAN mark and name, and appear to have been used in a manner intended to mislead Internet users for Respondent's commercial gain.. Such use of the disputed domain names to attract unsuspecting consumers constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

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

8. 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 <buypetrossian.shop>, <petrossianhq.shop>, and <petrossiansselect.shop> be transferred to Complainant.

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: August 6, 2026