

ADMINISTRATIVE PANEL DECISION

UNY Co., Ltd. v. stephanie lim, GROUP89

Case No. D2026-2630

1. The Parties

The Complainant is UNY Co., Ltd., Japan, represented by IP Twins SAS, France.

The Respondent is stephanie lim, GROUP89, Indonesia, self-represented.

2. The Domain Name and Registrar

The disputed domain name <apita-iwakura.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 17, 2026. On June 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 18, 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 Respondent”) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 June 23, 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 the Respondent of the Complaint, and the proceedings commenced on June 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2026. The Respondent sent an email communication to the Center on June 25, 2026. The Complainant requested a suspension of the proceeding, and the Center issued a Notification of Suspension on June 25, 2026. On July 24, 2026, the Complainant requested the reinstitution of the proceeding. Accordingly, the Center formally reinstituted the proceeding on July 28, 2026.

The Center appointed Mihaela Maravela as the sole panelist in this matter on July 30, 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

According to information in the Complaint, the Complainant UNY Co., Ltd. (ユニ株式会社, Yunī Kabushikigaisha) is a Japanese company that operates a chain of supermarkets. Most of the stores are located in the Chūbu and Kantō regions, Japan. The Complainant operates stores under the APITA brand. The merchandise mix of the Complainant's stores comprises 50,000 to 80,000 items, including foods, daily consumables, clothing, and household necessities.

The Complainant is the holder of several APITA trademarks, including the following:

- Japanese trademark APITA No. 4088460 registered on December 5, 1997, duly renewed, designating goods in International Classes 7, 8, 9, 10, 11, 12, 17 and 21;
- Japanese trademark APITA (figurative) No. 4767956 registered on April 30, 2004, duly renewed, designating services in International Classes 35 to 41; and
- Japanese trademark APITA No. 5089945 registered on November 9, 2007, duly renewed, designating goods and services in International Classes 1 to 12 and 14 to 45.

The disputed domain name was registered on December 27, 2025 and it redirects to an online website offering money games or gambling service.

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 reproduces the earlier trademarks of the Complainant in their entirety, with the addition of the geographic term "Iwakura". Iwakura (岩倉市, Iwakura-shi) is a city located in Aichi Prefecture, Japan, where the Complainant operates an APITA store, which only reinforces the likelihood of confusion.

As regards the second element of the Policy, the Complainant argues that it has not authorized the use of its earlier trademarks or terms similar thereto in the disputed domain name in any manner or form. Also, there is no evidence that the Respondent has been commonly known by the disputed domain name as an individual, business, or other organization. The Respondent has not used or made preparations to use the disputed domain name in relation to a bona fide offering of goods or services. On the contrary, the disputed domain name redirects to an online website offering money games or gambling service.

With respect to the third element, the Complainant submits that its trademarks enjoy a long-lasting reputation, notably in Japan and it is inconceivable that the Respondent ignored the Complainant or its earlier rights. The use of the disputed domain name, in connection with an active store of money games or gambling items, cannot be deemed a good faith use of the domain name.

B. Respondent

The Respondent did not substantively respond to the Complainant's contentions. In her email communication to the Center on June 25, 2026, the Respondent made clear that she does not want to challenge this case and is willing to transfer the disputed domain name to the Complainant. Literally, the

Respondent stated that “I confirm that I do not wish to contest the Complaint. I consent to the transfer of the disputed domain name to the Complainant and would like to proceed with settlement / voluntary transfer of the domain name. Please advise if I need to complete and sign the WIPO Standard Settlement Form or take any further steps with the Registrar.” According to the uncontested statements of the Complainant, the Respondent failed to sign the settlement form sent by the Complainant.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name, and (iii) the disputed domain name has been registered and is being used in bad faith.

The applicable standard of proof is the “balance of probabilities” or “preponderance of the evidence”, and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 4.2.

A. Consent to Transfer

The Panel notes that even without a formal settlement between the parties, a consent for the transfer of the disputed domain name by the Respondent can provide sufficient basis for an order for transfer without the need for substantial consideration of the UDRP grounds and the further merits of the case. In view of [WIPO Overview 3.1](#), section 4.10, a panel may “order the requested remedy solely on the basis of such consent”.

As indicated above, the Center received an email communication from the Respondent which unambiguously expresses her consent to transfer the disputed domain name to the Complainant. The Panel finds that the email communication by the Respondent to the Center, as described above, undoubtedly demonstrates her consent to have the disputed domain name transferred. The fact that no settlement agreement has been concluded between the Parties does, in view of the Panel, not affect the effectiveness of the Respondent’s unilateral consent to the transfer of the disputed domain name. Rather, the Complainant’s suspension request to pursue settlement options with the Respondent is further support of the interest in a quick resolution.

The Panel considers, in the circumstances, it is appropriate to order transfer of the disputed domain name solely on the basis of such consent.

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 <apita-iwakura.com> be transferred to the Complainant.

/Mihaela Maravela/

Mihaela Maravela

Sole Panelist

Date: August 4, 2026