

ADMINISTRATIVE PANEL DECISION

Charles & Keith International Pte. Ltd. v. Nguyen Hong Tuy
Case No. D2026-2636

1. The Parties

The Complainant is Charles & Keith International Pte. Ltd., Singapore, represented by Strategic IP Information Pte Ltd., Singapore.

The Respondent is Nguyen Hong Tuy, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <charleskeith-asia.com> is registered with GMO Internet Group, Inc. d/b/a Onamae.com (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 (GMO-Z.com RUNSYSTEM) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same day, 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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 25, 2026.

The Center appointed Alexander Duisberg as the sole panelist in this matter on July 28, 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, Charles & Keith International Pte. Ltd., is a Singapore-based fashion company that manufactures and retails footwear, bags, and fashion accessories globally and online through its website “www.charleskeith.com”. The Complainant was incorporated in Singapore in 2005 under the business name Charles & Keith International Pte. Ltd.

The Complainant owns, among others, the following registered trademarks:

- European Union trademark registration No. 004520672 for CHARLES & KEITH, filed on July 1, 2005, and registered on July 3, 2006, in classes 14, 18 and 25;
- Viet Nam trademark registration No. 4-0089025-000 for CHARLES & KEITH, filed on September 6, 2005, and registered on September 19, 2007, in classes 14, 18, and 25; and
- International trademark registration No. 1070666 for CHARLES & KEITH, registered on December 17, 2010, in classes 9, 14, 18, 25, and 35, designating various jurisdictions including China.

The Complainant is also the owner of the domain name <charleskeith.com>.

The disputed domain name <charleskeith-asia.com> was created on December 6, 2025.

According to the uncontested evidence submitted by the Complainant, the disputed domain name resolved to a website purporting to offer CHARLES & KEITH products with prices in Thai baht, at heavily discounted prices. The website displayed the Complainant’s brand imagery and copyright-protected images without authorization. Nothing on the website indicated that the disputed domain name was not affiliated with the Complainant.

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 incorporates the Complainant’s well-known CHARLES & KEITH trademark and corporate name, omitting only the ampersand “&”, a character that cannot ordinarily be represented in a domain name. The Complainant submits that the addition of a geographical term does not serve to distinguish the disputed domain name from the Complainant’s mark. On the contrary, it reinforces confusing similarity by suggesting an official regional presence or authorized website of the Complainant. The Complainant submits that it has not authorized the Respondent to use the CHARLES & KEITH trademark or trade name in any manner whatsoever, including as a domain name. The Complainant submits that the disputed domain name does not serve to distinguish itself from the Complainant’s mark, business name, and registered domain name, and that consumers are likely to deem the use of the disputed domain name as a natural extension of the Complainant’s mark. The Complainant argues that the Respondent’s use of the disputed domain name as described above constitutes bad faith. The Complainant submits that it is well-settled that the registration of a domain name incorporating a well-known mark by an entity that has no relationship to that mark is evidence of bad faith. The Complainant

contends that the website to which the disputed domain name resolves contains images of CHARLES & KEITH products and claims to offer such products at heavily discounted prices without the Complainant's authorization, constituting an attempt to have consumers believe that the website associated with or endorsed by the Complainant. The Complainant notes that it has a long and well-established reputation in the CHARLES & KEITH trademark through its exclusive use worldwide in relation to footwear, bags, and accessories, and that there can be no doubt that the Respondent was aware of the Complainant's mark when the disputed domain name was registered.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

- (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 Panel acknowledges the consensus view that the Respondent's default to respond to the Complaint does not automatically result in a decision in favor of the Complainant. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.3.

Although the Panel may draw appropriate inferences from the Respondent's default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in the UDRP proceeding.

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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name incorporates the Complainant's CHARLES & KEITH trademark in its entirety, omitting only the ampersand "&", a character that cannot ordinarily be represented in a domain name.

The mark remains recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy (see *SoftCom Technology Consulting Inc. v. Olariu Romeo/Orv Fin Group S.L.*, WIPO Case No. [D2008-0792](#); and *Gilead Sciences, Inc. v. Cong Truong*, WIPO Case No. [D2025-0008](#)). [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "asia" and a hyphen) may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the 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 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 (see *Wal-Mart Stores, Inc. v. WalMart Careers, Inc.*, WIPO Case No. [D2012-0285](#); and *Swedish Match North Europe AB, Philip Morris International, Inc v. durant Kevin, Host Master, Njalla Okta LLC*, WIPO Case No. [D2026-0081](#)). [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.

The Panel finds that the disputed domain name carries a risk of implied affiliation with the Complainant. The Respondent created the disputed domain name by combining the Complainant’s CHARLES & KEITH trademark with the geographic term “asia”, thereby suggesting that the website is an official or authorized regional presence of the Complainant. The disputed domain name resolved to a website purporting to be associated with the Complainant by using the Complainant’s CHARLES & KEITH trademark, brand imagery, and product images without authorization, and offering products at heavily discounted prices. The Respondent’s website did not disclose its (lack of) relationship with the Complainant. This implies to Internet users interested in the Complainant’s fashion products that the website is an official website from the Complainant, whereas the Respondent did nothing to distinguish the disputed domain name from the Complainant’s trademark (see *Sanofi v. rahil ahmed, rahil foods*, WIPO Case No. [D2025-2234](#)). [WIPO Overview 3.1](#), section 2.1.

Moreover, based on the available record, there is no indication that the Respondent owns any rights in any trademark which comprises part or all of the disputed domain name or that the Respondent is commonly known by the disputed domain name. The Complainant has not given its consent for the Respondent to use its registered CHARLES & KEITH trademark in a domain name registration.

Finally, panels have held that the use of a domain name for illegitimate activity here, impersonation or passing off, and the potential sales of counterfeit goods can never confer rights or legitimate interests on a respondent (see *Lonza Ltd v. Geral Gera, SEGLINK*, WIPO Case No. [D2025-1342](#); *SESSUN v. Samuel Williams Williams*, WIPO Case No. [D2023-2132](#); and *Aspen Insurance Holdings Limited v. Bukayo Ajiboye*, WIPO Case No. [D2023-0669](#)). [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

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.

Panels have held that the use of a domain name to impersonate a complainant's official online presence constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy (see *Skechers U.S.A., Inc. II v. Zhangming Li*, WIPO Case No. [D2022-0257](#); and *Bulgari S.p.A. v. Che Kane Jose*, WIPO Case No. [D2023-3212](#)). [WIPO Overview 3.1](#), section 3.4.

In the present case, the Panel notes that the Respondent registered and used the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's CHARLES & KEITH trademark. Based on the uncontested evidence submitted by the Complainant, the Respondent operated an unauthorized website that displayed the Complainant's brand imagery and product images without authorization, offered products at prices significantly below the Complainant's usual retail prices, and combined the Complainant's trademark with the geographic term "asia", which suggests an official regional online presence. The website did not disclose the Respondent's (lack of) relationship with the Complainant. The website was deliberately assembled to deceive consumers into believing they were purchasing genuine Charles & Keith products through an outlet channel operated by or affiliated with the Complainant. The Respondent could not reasonably ignore the Complainant's CHARLES & KEITH trademark when registering and using the disputed domain name in this manner.

Panels have held that the use of a domain name for illegitimate activity here, impersonation or passing off, and the potential sales of counterfeit goods constitutes bad faith (see *Natixis v. Nicole Laboissiere*, NATIXIS COFICINE, WIPO Case No. [D2024-5310](#); and *Hachette Filipacchi Presse v. archit kumar*, WIPO Case No. [D2025-4087](#)). [WIPO Overview 3.1](#), section 3.4. 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 <charleskeith-asia.com> be transferred to the Complainant.

/Alexander Duisberg/

Alexander Duisberg

Sole Panelist

Date: August 11, 2026