

## **ADMINISTRATIVE PANEL DECISION**

Decathlon v. Rizwan Shad  
Case No. D2026-2883

### **1. The Parties**

The Complainant is Decathlon, France, represented by AARPI Scan Avocats, France.

The Respondent is Rizwan Shad, Pakistan.

### **2. The Domain Names and Registrar**

The disputed domain names <thedomyos.com>, and <thenabajji.com> are registered with Name.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2026. On July 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 2, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 July 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 30, 2026.

The Center appointed Andrea Cappai as the sole panelist in this matter on August 7, 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 French company engaged in the design and retailing of sporting and leisure goods. It was registered with the Trade and Companies Register on November 16, 1984. The record reports that, in 2023, the Decathlon group operated 1,749 stores in 78 territories and had net sales of EUR 15.6 billion.

The Complainant markets swimming products under the NABAIJI sign and fitness products under the DOMYOS sign. Its webpages submitted in the record present NABAIJI as the Complainant's swimming brand and DOMYOS as its fitness brand.

The trademark registrations particularly relevant to this proceeding include:

- DOMYOS, European Union Trademark Registration No. 006780977, a word mark filed on March 13, 2008, and registered on April 21, 2009, in classes 9, 10, 25, 27, and 28;
- DOMYOS, International Registration No. 1173604, a word mark registered on March 15, 2013, in class 35;
- NABAIJI, European Union Trademark Registration No. 008691255, a word mark filed on April 16, 2009, and registered on April 26, 2010, in classes 3, 35, and 41; and
- NABAIJI, European Union Trademark Registration No. 008861569, a word mark filed on January 20, 2010, and registered on July 5, 2010, in class 9.

The DOMYOS registrations are in the name of the Complainant. The NABAIJI registrations are in the name of Projetclub, a French company sharing the Complainant's registered address. The record contains other NABAIJI registrations in the name of Projetclub.

The disputed domain name <thedomyos.com> was registered on November 16, 2025. The disputed domain name <thenabajji.com> was registered on November 26, 2025.

The Complainant submitted pages from the websites associated with the disputed domain names, captured on June 29, 2026. The pages for the disputed domain name <thenabajji.com> displayed the NABAIJI sign and logo, presented the site as the "Nabajji® US Swimming Brand Official Website", showed swimming products, and included "Buy on Amazon" buttons. The pages for the disputed domain name <thedomyos.com> displayed the DOMYOS sign, presented the site as the "Domyos® Official Website", showed fitness products, and included "check on Amazon" buttons.

The Respondent appears to be an individual located in Pakistan.

#### 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 trademarks in which the Complainant has rights, and that the Respondent has no rights or legitimate interests in the disputed domain names. It states that the Respondent is not commonly known by either disputed domain name, has no relationship with the Complainant, and has not been licensed, authorised, or otherwise permitted to use the NABAIJI or DOMYOS marks. The Complainant further contends that the disputed domain names are used to divert Internet users and that the associated websites do not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Complainant contends that the disputed domain names were registered in bad faith. It relies on the earlier registration and asserted international reputation of the NABAIJI and DOMYOS marks, the composition of the disputed domain names, and search results associating those marks with the Complainant. On that basis, it submits that the Respondent knew of the Complainant and its rights when registering the disputed domain names. The Complainant also alleges that the disputed domain names were registered primarily for sale, rental, or transfer to the Complainant or a competitor for consideration exceeding the Respondent's costs.

The Complainant alleges that the websites were used to sell products which it describes as copies of its own, confusingly similar to them, and possibly counterfeit. It submits that this causes economic harm to the Complainant and may create safety and security risks for consumers. The Complainant further alleges that the websites cause confusion and use the marks to attract Internet users by creating the impression that they are official Decathlon websites. It also alleges that the disputed domain names were registered primarily for sale or transfer to the Complainant or a competitor for consideration exceeding the Respondent's costs.

## **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 names. 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](#), sections 1.2.1 and 1.4.1.

The Panel finds the marks are recognisable 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, such as "the" 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 Complainant has shown direct registered rights in the DOMYOS mark. The active NABAIJI registrations identified above are recorded in the name of Projetclub. The record also shows that Projetclub and the Complainant share a registered address and that the Complainant's webpages submitted with the Complaint present NABAIJI as the Complainant's swimming brand.

Paragraphs 10 and 12 of the Rules permit the Panel to undertake limited factual research into matters of public record where useful to affirm or corroborate a party's contention. [WIPO Overview 3.1](#), section 4.8. The Panel accordingly consulted readily accessible French public corporate records. The official Annuaire des Entreprises identifies the Complainant as a current administrator of Projetclub, while Projetclub's publicly filed management report states that Projetclub is under the control of the Complainant and is included in its consolidated accounts.

These materials establish, on the balance of probabilities, that PROJETCLUB falls under the Complainant's corporate umbrella. Such conclusion can be confirmed by a prior decision *Decathlon and Projetclub v. Michael Nava, Domain Nerdz LLC*, WIPO Case No. [D2022-5021](#). An affiliate may rely for UDRP standing on trademark rights held by a company within the same corporate group, and authorisation may be inferred from the circumstances. [WIPO Overview 3.1](#), section 1.4.1. The Panel therefore finds that the Complainant is entitled to rely on Projetclub's registered NABAIJI mark for the purposes of paragraph 4(a)(i) of the Policy.

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 recognised 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.

The Complainant states that it has not authorised the Respondent to use the NABAIJI or DOMYOS marks and that there is no relationship between them. The registrant information does not indicate that the Respondent is commonly known by either disputed domain name. Nothing in the record suggests any other basis on which the Respondent might claim rights or legitimate interests.

The composition of each disputed domain name carries a risk of implied affiliation. That risk is reinforced by the pages shown in the record, which prominently used the relevant sign, presented the corresponding website as an "Official Website", displayed products under that sign, and contained no apparent disclaimer. The pages associated with the disputed domain name <thedomys.com> went further by identifying a purported "Domyos® Company" at the Complainant's business address.

Moreover, the websites did not accurately and prominently disclose the Respondent's relationship with the trademark holder. Rather, they claimed official status and appeared to suggest affiliation.

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 Respondent registered the disputed domain names many years after the registration of the NABAIJI and DOMYOS marks. Each disputed domain name combines the definite article “the” with one of those marks in its entirety, and the same Respondent registered both disputed domain names within ten days of one another. The record does not suggest any ordinary meaning of either mark that would explain this selection independently of the Complainant’s brands.

The content subsequently displayed at each disputed domain name confirms that the selection was not coincidental. The pages associated with the disputed domain name <thenabaiji.com> were specifically directed to swimming products and prominently used the NABAIJI sign, while those associated with the disputed domain name <thedomyos.com> were specifically directed to fitness products and prominently used the DOMYOS sign. Both sets of pages claimed to be official websites for the relevant brand. On the balance of probabilities, the Respondent registered each disputed domain name with knowledge of the corresponding mark and with the intention of creating a false impression of affiliation with the Complainant.

The pages shown in the record appeared to promote products under the relevant marks and included purchase-directed buttons labelled “Buy on Amazon” or “check on Amazon”.

Against that background, the repeated use of the corresponding marks and logos, the express claims of official status, the absence of an apparent disclaimer, and, on the DOMYOS pages, the use of the Complainant’s business address created a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the websites and the products presented there. The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the websites associated with the disputed domain names by creating such a likelihood of confusion.

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 <thedomyos.com>, and <thenabaiji.com> be transferred to the Complainant.

*/Andrea Cappai/*

**Andrea Cappai**

Sole Panelist

Date: August 21, 2026