

ADMINISTRATIVE PANEL DECISION

Rhone Apparel, Inc. v. frank lar/lar frank, no
Case No. D2026-2920

1. The Parties

The Complainant is Rhone Apparel, Inc., United States of America ("United States"), represented by Fox Rothschild LLP, United States.

The Respondent is frank lar/lar frank, no, Philippines.

2. The Domain Name and Registrar

The disputed domain name <rhonesale.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 2, 2026. On July 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 3, 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 (PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 6, 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 July 7, 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 July 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 7, 2026.

The Center appointed Martin Michaus Romero as the sole panelist in this matter on August 19, 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 premium performance and activewear apparel brand. Since at least September 1, 2013, has used the RHONE mark in the United States commerce in connection with athletic apparel, including shirts, pants, jackets, footwear, hats and caps, and athletic uniforms. It operates its primary e-commerce website at “www.rhone.com”, through which it markets and sells its product directly to consumers throughout the United States and internationally.

The Complainant owns registrations of the RHONE trademark, duly registered in jurisdictions around the world, including United States Trademark Registration No. 4,551,400 for RHONE in Class 25, registered on June 17, 2014, and International Trademark Registration No. 1,586,576 for RHONE in Class 25, registered on March 1, 2021, with designations including Australia, the European Union, Mexico, and the United Kingdom.

The disputed domain name was registered on April 13, 2026. The disputed domain name resolves to a website impersonating the Complainant by using the Complainant’s trademarks, product images, and website design, and purports to sell the Complainant’s products at discounted prices.

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 wholly incorporates its registered and distinctive RHONE mark.

The disputed domain name <rhonesale.com> is nearly identical to the Complainant’s domain name <rhone.com>.

The Complainant has not given the Respondent any right to use the RHONE name or mark nor has it licensed the Respondent to use its trademark in the disputed domain name. The Respondent is not commonly known by the disputed domain name and has not registered and used the disputed domain name in connection with a bona fide offering of goods and services, or for any legitimate noncommercial fair use.

The website at the disputed domain name was operating (prior to being removed) as a near-identical “clone” of the Complainant’s legitimate website at “www.rhone.com”. The site copied and reproduced the Complainant’s copyright works, including its logos, images and product photographs, and used its RHONE mark both in the disputed domain name and throughout the site. The site purports to be a sale version of the Complainant’s e-commerce website and offered what appears to be counterfeit or non-existent products of the Complainant. The Respondent’s website allowed only direct credit-card entry with no alternative payment methods (such as Apple Pay or PayPal), suggesting the site was and is designed to fraudulently harvest customers sensitive personal and financial information.

A cease-and-desist email sent to the contact address listed on the Respondent’s website was bounced back as invalid and undeliverable, further indicating that the Respondent has provided false contact information to conceal its identity.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probability that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in the disputed domain name; and
- (iii) the disputed domain name has been registered and is 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 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 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 trademark RHONE is reproduced in its entirety within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The addition of the term "sale" does not prevent a finding of confusing similarity. Furthermore, the generic Top-Level Domain ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), sections 1.8 and 1.11.1.

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 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 with 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.

The Respondent has neither used the disputed domain name for a bona fide offering of goods or services nor for a legitimate noncommercial or fair use. The Panel considers that the composition of the disputed domain name incorporating the Complainant's RHONE trademark and a term associated with its business carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1. As such, in the Panel's view, the disputed domain name was created with the intention to mislead Internet users into believing that there is a connection or association with the Complainant. The Respondent is not commonly known by the name "Rhone" or "Rhone Sale", and holds no trademark rights in that term.

UDRP panels have held that the use of a domain name for illegal activity (e.g., impersonation, copycat sites, passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.

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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

In the present case, the Panel notes that:

- The Respondent should have been aware of the existence of the Complainant and its activities and business operations under the RHONE trademark, at the international level, at the time of registering the disputed domain name.
- The disputed domain name is confusingly similar to the Complainant's RHONE trademark.
- The Complainant's RHONE trademark and domain name predate the registration of the disputed domain name.
- The Complainant has not granted authorization, consent or license to the Respondent to use the RHONE mark, as part of the disputed domain name.
- The Respondent is using the disputed domain name to impersonate the Complainant by reproducing the Complainant's RHONE trademarks and copyrighted works without authorization. In addition, according to the Complainant, the website allowed only direct credit-card entry with no alternative payment methods suggesting the site was and is designed to fraudulently harvest customers' sensitive personal and financial information, to which the Respondent has not objected.
- The Respondent did not file any response.

Having reviewed the available record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith.

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 <rhonesale.com> be transferred to the Complainant.

/Martin Michaus Romero/

Martin Michaus Romero

Sole Panelist

Date: September 2, 2026.