ADMINISTRATIVE PANEL DECISION
Rhone Apparel, Inc. v. DU DU
Case No. D2026-2986

1. The Parties

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

The Respondent is DU DU, China.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 7, 2026. On July 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 9, 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 (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 10, 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 14, 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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 12, 2026.

The Center appointed Torsten Bettinger as the sole panelist in this matter on August 25, 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, Rhone Apparel, Inc., is a performance and activewear apparel company. Since at least 2013, the Complainant has used the RHONE trademark in connection with athletic apparel, including shirts, pants, jackets, footwear, hats and caps, and athletic uniforms. The Complainant operates its principal e-commerce website at the domain name <rhone.com>, through which it markets and sells its products in the United States and internationally.

The Complainant owns numerous trademark registrations for the RHONE mark, including, inter alia:

- United States Trademark Registration No. 4,551,400 for RHONE, registered on June 17, 2014, in Class 25;

- International Registration No. 1586576 for RHONE, registered on March 1, 2021, in Class 25, with protection in various jurisdictions; and

- Australian Trademark Registration No. 2171196 for RHONE, registered on March 1, 2021, in Class 25.

On January 27, 2026, the Complainant publicly launched “reRhone”, a resale and trade-in program for RHONE clothing, at the website “www.rerhone.rhone.com”. The program enables customers to purchase verified pre-owned RHONE clothing and to trade in used RHONE products in exchange for store credit.

The disputed domain name <rerhone.com> was registered on January 28, 2026, one day after the launch of the Complainant’s reRhone program.

The disputed domain name resolves to an Afternic landing page displaying the disputed domain name as being for sale.

The evidence submitted by the Complainant further shows that, through GoDaddy’s domain brokerage service, an asking price of USD 18,000 was communicated for the disputed domain name. Following an offer made on behalf of the prospective purchaser, the seller reduced the asking price to USD 15,000.

5. Parties’ Contentions

A. Complainant

The Complainant requests that the disputed domain name be transferred to it and contends that it has satisfied each of the elements required under the Policy.

With regard to paragraph 4(a)(i) of the Policy, the Complainant contends that:

- it has registered rights in the RHONE trademark;

- the disputed domain name incorporates the RHONE trademark in its entirety, preceded only by the term “re”; and

- the disputed domain name corresponds exactly to the name of the Complainant’s reRhone resale initiative and is therefore confusingly similar to the Complainant’s RHONE trademark.

With regard to paragraph 4(a)(ii) of the Policy, the Complainant submits that:

- it has not authorized, licensed, or otherwise permitted the Respondent to use the RHONE trademark or the reRhone name;

- the Respondent is not commonly known by the disputed domain name;

- the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services or for any legitimate noncommercial or fair use; and

- the disputed domain name has instead been used solely in connection with an offer for sale.

With regard to paragraph 4(a)(iii) of the Policy, the Complainant contends that:

- the Respondent must have been aware of the Complainant and its RHONE trademark when registering the disputed domain name;

- the registration of the disputed domain name one day after the public launch of the Complainant's reRhone initiative demonstrates that the Respondent targeted the Complainant;

- the Respondent offered the disputed domain name for sale through Afternic and sought USD 18,000, subsequently reduced to USD 15,000; and

- the Respondent therefore registered and used the disputed domain name primarily for the purpose of selling it for valuable consideration in excess of the Respondent's documented out-of-pocket costs, within the meaning of paragraph 4(b)(i) of the Policy.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy states that the Complainant must prove each of the following three elements:

(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.

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 the RHONE trademark for purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name incorporates the RHONE trademark in its entirety. The addition of the prefix "re" does not prevent the RHONE trademark from being recognizable in the disputed domain name. WIPO Overview 3.1, section 1.8.

Moreover, the composition of the disputed domain name is particularly notable because "reRhone" corresponds precisely to the name used by the Complainant for its resale and trade-in initiative. While this circumstance is more appropriately considered under the second and third elements, it reinforces that the RHONE trademark remains clearly recognizable in the disputed domain name.

The Top-Level Domain ("TLD") ".com" is viewed as a standard registration requirement and is disregarded under the first element confusing similarity analysis.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's RHONE trademark. 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 may result in the difficult task of proving a negative, requiring information that is often primarily within the knowledge or control of the respondent. Where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name, although the burden of proof remains on the complainant. WIPO Overview 3.1, section 2.1.

The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the RHONE trademark or the reRhone name. There is no evidence before the Panel that the Respondent is affiliated with the Complainant or has been commonly known by the disputed domain name.

The evidence shows that the disputed domain name has been used to resolve to an Afternic landing page offering the disputed domain name for sale. There is no evidence that the Respondent has used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, or that the Respondent has made a legitimate noncommercial or fair use of the disputed domain name.

The disputed domain name corresponds exactly to the name of the Complainant's reRhone initiative and was registered only one day after that initiative was publicly launched. In the circumstances of this case, the Panel does not consider the Respondent's offer to sell the disputed domain name to give rise to rights or legitimate interests.

The Respondent has not submitted any response and has not come forward with any evidence of rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy. The second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that paragraph 4(b) of the Policy sets out circumstances, in particular but without limitation, that shall be evidence of the registration and use of a domain name in bad faith.

The Complainant's RHONE trademark rights predate the registration of the disputed domain name by many years.

The disputed domain name incorporates the RHONE trademark in its entirety preceded by the term "re". More significantly, it corresponds exactly to "reRhone", the name selected by the Complainant for its resale and trade-in initiative.

The timing and composition of the disputed domain name are particularly significant. The Complainant publicly launched its reRhone initiative on January 27, 2026. The Respondent registered the disputed domain name <rerhone.com> on January 28, 2026, the following day. The disputed domain name is not merely composed of the Complainant's RHONE trademark together with an unrelated term, but corresponds exactly to the designation "reRhone" selected by the Complainant for its newly launched initiative.

The Panel considers that the probability of the Respondent having independently selected the identical term "rerhone" one day after the public launch of the Complainant's reRhone initiative, without knowledge of the Complainant, is remote. In the absence of any explanation from the Respondent, the Panel therefore finds, on the balance of probabilities, that the Respondent registered the disputed domain name with actual knowledge of and specifically targeting the Complainant and its newly launched reRhone initiative.

The Panel further notes that offering a domain name for sale is not, in itself, evidence of bad faith where the respondent has independently registered a domain name without targeting a trademark owner. In the present case, however, the circumstances go materially further. The disputed domain name was registered immediately after the launch of the identically named reRhone initiative, has not been used for any independent bona fide purpose, was placed on Afternic for sale, and the seller subsequently sought USD 18,000, later reduced to USD 15,000, for its transfer.

Taking these circumstances together, the Panel finds that the Respondent's objective at the time of registration was to capitalize on the Complainant's newly announced reRhone initiative by registering the corresponding ".com" domain name and offering it for sale. The Panel therefore finds that the disputed domain name was registered primarily for the purpose of selling or otherwise transferring it to the Complainant or a competitor of the Complainant for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name, within the meaning of paragraph 4(b)(i) of the Policy.

Accordingly, the Panel finds that the disputed domain name has been registered and is being used in bad faith within the meaning of paragraphs 4(a)(iii) and 4(b)(i) of the Policy. The third element of the Policy has been established.

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 <rerhone.com> be transferred to the Complainant.

/Torsten Bettinger/
Torsten Bettinger
Sole Panelist
Date: September 7, 2026