

ADMINISTRATIVE PANEL DECISION

Frankie Shop, LLC v. Leo Mailo, leo LLC
Case No. D2026-3170

1. The Parties

Complainant is Frankie Shop, LLC, United States of America (“United States”), represented by Coblence Avocats, France.

Respondent is Leo Mailo, leo LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <frankyshop.com> (the “Domain Name”) is registered with Sav.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 19, 2026. On July 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 21, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Anonymous) and contact information in the Complaint. The Center sent an email to Complainant on July 23, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on July 27, 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 Respondent of the Complaint, and the proceedings commenced on August 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 9, 2026.

The Center appointed Robert A. Badgley as the sole panelist in this matter on September 14, 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

Complainant was founded in 2014. Complainant describes itself as “a multinational concept store with a strong online visibility, offering clothing, accessories (leather goods, jewelry, etc.), women’s shoes, and cosmetics under the ‘THE FRANKIE SHOP’ trademarks.” Complainant’s main commercial website is accessible via the domain name <thefrankieshop.com>. Complainant also operates a number of physical shops, including its main store in the Soho district of New York.

Complainant owns several registered trademarks for THE FRANKIE SHOP, including the international word mark THE FRANKIE SHOP, Registration (Reg.) No. 1648994, registered on October 12, 2021 (with recognition in Australia and the United States), and the international word mark THE FRANKIE SHOP, Reg. No. 1759868, registered on September 1, 2023 (with recognition in Australia and the United States).

The Domain Name was registered on July 10, 2026. According to screenshots annexed to the Complaint, as of July 15, 2026, the Domain Name resolved to a website, purporting to sell lawn mowers, outdoor swimming pool equipment, residential playground sets, and the like. Respondent’s website referred to a physical location, which address corresponds to one of Complainant’s physical stores in Soho, New York.

Annexed to the amended Complaint is a screenshot showing that, as of July 27, 2026 (after the original Complaint in this proceeding was filed), the Domain Name resolved to a website purporting to sell, among others, women’s sandals and other footwear, and inviting visitors to sign up to receive updates on sale offerings.

Complainant alleges that, before it filed its original Complaint in this proceeding, its customer service team had received a number of messages from consumers who evidently had visited Respondent’s website under the erroneous belief that they were visiting Complainant’s site. Two such messages were:

“I ordered a trailer order number [redacted], [...] status on updates of tracking number says delivered, and I have not received anything but a plastic [three-piece] champaign glass that I did not order, I am requesting that you provide correct tracking number with updates or a full refund with explanation!”

“I am shopping for a mower and the store is using the same address and similar name as you. Is this place working out of the same building as you are?”

Respondent has not denied any of the foregoing allegations, and has not disputed any of the evidence put forth by Complainant.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Panel concludes, on this undisputed record, the Complainant has rights in the trademark THE FRANKIE SHOP through registration and use demonstrated in the record.

The Panel also finds that the Domain Name is confusingly similar to Complainant's mark. The Domain Name omits the definite article "the," which is of little significance, and alters the spelling of FRANKIE to "francky." Significantly, the Domain Name includes the word "shop," which of course is also contained in the mark. Despite these minor differences, the Panel finds that Complainant's mark is recognizable within the Domain Name.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes that Respondent lacks rights or legitimate interests in respect of the Domain Name. Respondent has not come forward to dispute Complainant's allegations and evidence. Given the fact that, for a time, Respondent's website contained a reference to the same physical address as that of Complainant's main physical store, it is obvious that Respondent registered the Domain Name with knowledge of Complainant's trademark. The additional fact that, for a time, Respondent's website has purported to sell women's footwear – which is among the products sold by Complainant – leads the Panel to conclude that Respondent has sought to use the Domain Name to create the false impression that Respondent's website is associated with Complainant. Such conduct clearly does not give rise to a right or legitimate interest vis-à-vis the Domain Name.

The Panel concludes that Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, “in particular but without limitation,” are evidence of the registration and use of the Domain Name in “bad faith”:

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or
- (ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- (iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent’s website or other online location, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of Respondent’s website or location or of a product or service on Respondent’s website or location.

The Panel concludes, on this undisputed record, that Respondent has registered and used the Domain Name in bad faith. The Panel incorporates its discussion above in the “Rights or Legitimate Interests” section. This is a clear case of creating a false impression of association with Complainant in violation of the above-quoted Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

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 Domain Name <frankyshop.com> be transferred to Complainant.

/Robert A. Badgley/

Robert A. Badgley

Sole Panelist

Date: September 22, 2026