# ADMINISTRATIVE PANEL DECISION

Quellogiusto S.R.L. v. Bill Blom

Case No. D2026-3179

## 1. The Parties

The Complainant is Quellogiusto S.R.L., Italy, represented by Cervato Law & Business s.r.l. Società tra Avvocati, Italy.

The Respondent is Bill Blom, United States of America ("United States").

## 2. The Domain Name and Registrar

The disputed domain name <quellogiustoofficial.shop> is registered with Dynadot Inc (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 20, 2026. On July 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 21, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 amended Complaint on July 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 July 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 19, 2026.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on August 27, 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 company engaged in the commercialization of footwear and apparel, established in Padua, Italy, in 2006. The Complainant commercializes its products through its stores in Italy and its e-commerce website at “www.quellogiusto.it”.

The Complainant owns multiple trademarks for QUELLOGIUSTO in Italy, including the following:

- QUELLOGIUSTO, Italian Trademark Registration No. 362017000148233, registered on September 6, 2018, in International Classes 18 and 25,

- , Italian Trademark Registration No. 302020000019165, registered on September 10, 2020, in International Classes 18 and 25.

- QUELLOGIUSTO.COM, Italian Trademark Registration No. 302020000019444, registered on September 10, 2020, in International Classes 18 and 25.

The Complainant owns the domain names <quellogiusto.it> and <quellogiusto.com>, registered on December 17, 2007, and December 13, 2007, respectively. The disputed domain name was registered on April 21, 2026, and resolves to a website that closely resembles the Complainant’s official website, prominently displaying the Complainant’s mark, and purportedly offering the Complainant’s products for sale.

## 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 is confusingly similar to its trademarks, company name, and domain name incorporating “Quellogiusto”, differing only by the addition of the term “official”, which, according to the Complainant, is a factor of confusion and deception for the public.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name and is using it in bad faith, for the sole purpose of damaging the Complainant’s business and making an illegitimate, noncommercial, and unfair use of the disputed domain name, with the intent to misleadingly divert consumers for commercial gain and/or to tarnish the Complainant’s well-known trademarks and other distinctive signs; all of which predate the disputed domain name.

The Complainant adds that the Respondent’s conduct is not solely in bad faith, but also constitutes a dangerous attempt to attract Internet users and customers for scam, fraud, and phishing purposes.

### B. Respondent

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

**6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name;

(iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a Response as it considers appropriate.

**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 entirety of the Complainant's mark is reproduced within the disputed domain name. Although the addition of other term, here, "official", may bear on the assessment of the second and third elements, the Panel finds that the QUELLOGIUSTO trademark remains clearly recognizable within the disputed domain name and the additional term "official" does not prevent a finding of confusing similarity. WIPO Overview 3.1, sections 1.7 and 1.8.

Further, it is well established that the generic Top-Level Domain ".shop" may be disregarded for the purpose of assessing confusing similarity under the first element of the Policy. WIPO Overview 3.1, section 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 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 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 further notes that the Respondent is not affiliated with the Complainant and has not been licensed or otherwise authorized to use the Complainant's QUELLOGIUSTO trademark. Furthermore, there is no evidence that it has used the disputed domain name in connection with a bona fide offering of goods or services, or that it has made a legitimate noncommercial or fair use of the disputed domain name.

Panels have held that the use of a domain name for illegitimate activity, such as passing off, cannot confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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 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.

The evidence demonstrates that the Complainant's rights in the QUELLOGIUSTO trademark, corporate name and domain names including such trademark, predate the registration of the disputed domain name. The Panel further notes that the disputed domain name wholly incorporates the Complainant's QUELLOGIUSTO trademark together with the term "official", thereby reinforcing the impression that the disputed domain name is associated with the Complainant.

The mere registration of a domain name that is confusingly similar to a well-known trademark by an unaffiliated party may, in itself, create a presumption of bad faith (see WIPO Overview 3.1, section 3.1.4).

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.

In the present case, the Complaint includes screenshots showing a website associated with the disputed domain name displaying the Complainant's QUELLOGIUSTO trademark and logo, with a layout similar to that of the Complainant's official website and offering for sale products that are identical or similar to the Complainant's products.

Panels have held that the use of a domain name for illegitimate activity, such as passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Consequently, the Panel finds that the Respondent's use of the disputed domain name is clearly intended to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark, as to the source, sponsorship, affiliation, or endorsement of the website, which constitutes evidence of bad faith registration and use pursuant to paragraph 4(b)(iv) of the Policy.

Furthermore, the Respondent's use of a privacy service to conceal its identity, together with the provision of contact details that do not appear to be readily verifiable, further supports a finding of 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 <quellogiustoofficial.shop> be transferred to the Complainant.

*/Estela Mariel de Luca/*
**Estela Mariel de Luca**
Sole Panelist
Date: September 1, 2026