

ADMINISTRATIVE PANEL DECISION

Petrossian Inc. v. Cristian Wentworth, Zachary Turner
Case No. D2026-3183

1. The Parties

Complainant is Petrossian Inc., United States of America (“United States”), represented by Areopage, France.

Respondents are Cristian Wentworth and Zachary Turner, United States.

2. The Domain Names and Registrar

The disputed domain names <petrossiancaviar.shop> and <petrossianmarket.shop> are 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 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 22, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to Complainant on July 24, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or, alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. Complainant filed an amended Complaint on July 28, 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 Respondents of the Complaint, and the proceedings commenced on August 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2026. Respondents did not submit any response. Accordingly, the Center notified Respondents' default on September 4, 2026.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on September 9, 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 is a corporation organized in the State of New York, United States, with offices in Long Island City, New York. Complainant is part of the Petrossian group, operating a business selling caviar, smoked fish, seafood specialties, foie gras and a range of fine foods. Petrossian caviar and fine food products are available online to United States consumers on Complainant's commercial website at "www.petrossian.com/". Complainant and its affiliated company Caviar Petrossian are the owner of registrations for the PETROSSIAN mark in many countries. Complainant operates several restaurants and boutiques in different cities, including in New York and Los Angeles.

Complainant is the owner of registrations for the word trademark PETROSSIAN on the Principal Register of the United States Patent and Trademark Office, including registration number 1191779, registration dated March 9, 1982, in International Class (IC) 29, covering "fish, and, more particularly, smoked and marinated fish; preserved tinned fish; fish roe and, more particularly, salmon roe, lump-fish roe, codfish roe, mullet roe, caviar; goose and duck foie gras, and pastes [and creams] made from foie gras; truffles"; registration number 2340463, registration dated April 11, 2000, in IC 30, covering coffee, tea, chocolates and other food products, and registration number 1337271, registration dated May 21, 1985, in IC 42, covering retail store services in the field of fancy foods, as further specified.¹ Complainant has provided a list of numerous trademark registrations owned by Caviar Petrossian in other countries around the world.

According to the Registrar's verification, Respondents are registrants of the disputed domain names. According to the Whois report the disputed domain name <petrossiancaviar.shop> was registered on July 18, 2026, and the disputed domain name <petrossianmarket.shop> was registered on July 16, 2026.

Respondents have used the two disputed domain names to direct Internet users to two substantially identical online shopping sites that list products with the appearance of Complainant's branded fine food products, including images identical to those employed by Complainant on its online shop. Respondents' websites include common accoutrements of online shops, such as the story of the business, what customers say about the business, information about product groups, and so forth. In addition, the websites provide pricing information which is listed as a 65 percent discount from the "Original" price of the products. The websites include a payment system that allows customers to enter personal information. There is no apparent material difference between the two websites operated by Respondents. There is a copyright notice on at least one of the websites listing "Petrossian" as the copyright owner. There is no indication that the websites operated by Respondents are not affiliated with Complainant.

Complainant refers to Respondents' sites as employing a fraudulent scheme intended to deceive consumers into placing orders and making payments. Complainant has not provided specific information as to whether Respondents are delivering any products from the two websites.

There is no evidence on the record of this proceeding of any affiliation, commercial or otherwise, between Complainant and Respondents.

¹ The listed trademark owner for each of the above-referenced trademarks is Petrossian, Inc.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, Complainant contends that it owns rights in the trademark PETROSSIAN and that the disputed domain names are confusingly similar to those trademarks.

Complainant argues that Respondents lack rights or legitimate interests in the disputed domain names because: (1) Respondents have no rights in Petrossian as a corporate name, trade name or domain name; (2) Respondents have not been commonly known by the disputed domain names, and (3) Respondents do not have any affiliation, association or other connection with Complainant and has not been authorized, licensed or otherwise permitted by Complainant to register the disputed domain names.

Complainant alleges that Respondents registered and are using the disputed domain names in bad faith because: (1) the term Petrossian is fanciful and would not have been chosen by Respondents other than to seek association with Complainant; (2) Respondents must have been aware of Complainant and its trademark when they registered the disputed domain names; (3) Respondents' websites deliberately convey the appearance of association with Complainant; (4) Respondents are engaged in "retail phishing" referring to a scheme to defraud Internet users by deceptively seeking information and payments; (5) Respondents' activities tarnish the reputation of Complainant and undermine trust in its business, and (6) Respondents' activities are undertaken intentionally for commercial gain by creating a likelihood of confusion with Complainant's mark as to the source of Respondents' websites.

Complainant requests the Panel to transfer the disputed domain names to Complainant.

B. Respondents

Respondents did not reply to Complainant's contentions.

6. Discussion and Findings

Consolidation of Multiple Respondents

Complainant has requested the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The Panel has reviewed the Complaint and the request by Complainant to consolidate the proceedings against nominally different domain name registrants based on their common control. The evidence indicates that the content of the websites associated with the disputed domain names is very similar, promoting the same products at the same discounts; each website uses the same email contact address; the disputed domain names use similar naming structures, including the ".shop" generic Top-Level Domain ("gTLD"); the email addresses for the nominal different registrants use the same structure; the disputed domain names were registered on nearly the same dates, and; the formatting elements of the source code underlying the two websites are the same. The listed addresses of each of the registrants is in the same United States ZIP Code. The Panel notes that neither of the named Respondents has objected to the consolidation. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any party.

The Panel consolidates these proceedings treating the two individually named disputed domain name registrants, Cristian Wentworth and Zachary Turner, as part of a commonly controlled enterprise that registered and are using the disputed domain names, and are hereinafter referred to as "Respondent".

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 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.

Complainant has shown rights in respect of the trademark PETROSSIAN for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the mark is recognizable 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, here "market" and "caviar" respectively, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.²

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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that 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 Respondent. As such, where Complainant, as here, makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain names (although the burden of proof always remains on Complainant). If Respondent, as here, fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent has not rebutted 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.

Panels have held that the use of domain names for illegitimate and/or illegal activity, here claimed as potential phishing, and passing off, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.1](#), section 2.13.1.

Respondent has done nothing to establish rights or legitimate interests in the disputed domain names. It is operating two websites deliberately designed to deceive Internet users regarding Complainant's association with those websites. It is seeking to secure information and payments from Internet users under false pretenses. Such activities do not involve a bona fide sale of goods, nor do they constitute fair or legitimate noncommercial use. Respondent has not been commonly known by the disputed domain names. Finally, Respondent has not responded to the Complaint and has not attempted to provide any legitimizing explanation for its activities.

² Respondent's registration of the disputed domain names in the ".shop" gTLD is not material to the Panel's confusing similarity analysis.

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 Respondent was manifestly aware of Complainant and its trademark when it registered the disputed domain names as evidenced by its extensive use of Complainant's trademark on websites designed to convey the appearance of association with Complainant. Complainant's trademark is distinctive and in long use.

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 Respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Respondent registered and is using the disputed domain names to direct Internet users to websites that are designed to convey the appearance of association with Complainant, including extensive use of Complainant's trademark and display of Complainant's branded products. Respondent provides forms for Internet users to provide personal information and to make payments for products they intend to purchase. Respondent is intentionally for commercial gain seeking to create a likelihood of confusion among Internet users as to Complainant acting as the source, sponsor, affiliate or endorser of Respondent's websites. Such activity constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate and/or illegal activity, here claimed as potential phishing, and passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

There is no indication on the record of this proceeding to suggest that Respondent is acting under Complainant's authority or with its consent, or that it is otherwise selling Complainant's branded products in a legitimate manner.

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

The Panel finds that 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 <petrossiancaviar.shop> and <petrossianmarket.shop> be transferred to Complainant.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: September 23, 2026