

ADMINISTRATIVE PANEL DECISION

Grendene S/A v. Berblan Munguia
Case No. D2026-3184

1. The Parties

The Complainant is Grendene S/A, Brazil, represented by Silveiro Advogados, Brazil.

The Respondent is Berblan Munguia, United States of America ("United States"), represented by Richard Law Group, Inc., United States.

2. The Domain Name and Registrar

The disputed domain name <melissa.city> 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 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 name. On the same day, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name that 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 the same day, 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 24, 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 August 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2026. The Response was filed with the Center on August 25, 2026.

The Center appointed Matthew Kennedy as the sole panelist in this matter on September 1, 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 Brazilian footwear manufacturer founded in 1971. Today, it has an annual production capacity of approximately 250 million pairs of shoes across five industrial units in Brazil. Its products are sold through a distribution network reaching more than 65,000 points of sale in Brazil and approximately 45,000 points of sale abroad. MELISSA is one of the Complainant's footwear and accessories brands, launched in 1979. MELISSA products are sold through dedicated physical stores, third-party retailers and official e-commerce platforms. The Complainant holds multiple trademark registrations, including the following:

- Brazilian trademark registration number 007168527 for MELISSA, registered on June 10, 1980, specifying various types of footwear in class 25; and
- United States trademark registration number 2526595 for MELISSA, registered on January 8, 2002, specifying various types of footwear in class 25.

The Complainant has also registered multiple domain names incorporating the MELISSA trademark, including <melissa.com.br>, registered in 1997, and <shopmelissa.com>, registered in 2007, that resolve to online stores in Portuguese and English, respectively, offering MELISSA products for sale in Brazil and the United States and elsewhere, respectively.

The Respondent is a resident of Texas, United States. During the period November 2025 to February 2026, she registered 17 domain names in the “.city” Top-Level Domain (“TLD”), each comprising the name of a different city in Texas. One of these was the disputed domain name.

The disputed domain name was registered on November 22, 2025. It resolves to a parking page hosted by the Registrar advising that the disputed domain name is parked free alongside a button labelled “Get This Domain”. Internet users who click on that button are shown a “Domain taken” notice, the text “We might be able to help you get it” and an advertisement for the Registrar's domain broker service with a price for that service, and an advertisement for a similar domain name. An explanation is offered that the broker service can try to acquire the domain name and that the domain name is transferred if the owner agrees to the sale.

According to evidence presented by the Complainant, the top results of a Google search for “melissa” all relate to itself, while the top results of a Google search for “melissa.city” include its Melissa City Platform shoe model and the city of Melissa, Texas, United States. According to evidence presented by the Respondent, the city of Melissa has an official website associated with the domain name <cityofmelissa.com>, while over 690,000 living Americans have the first name “Melissa”.

The Complainant sent an email of complaint to the Registrar regarding the disputed domain name. On February 12, 2026, the Registrar replied, declining to take action.

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.

The Complainant alleges that the disputed domain name redirects users to the Registrar's marketplace where it is offered for acquisition. When an Internet user attempts to acquire the disputed domain name, they are automatically redirected to the Registrar's domain broker service page. The disputed domain name is being held solely for speculative purposes, without any bona fide use or legitimate connection to the disputed designation.

The disputed domain name consists exclusively of the Complainant's distinctive MELISSA trademark, combined with the ".city" gTLD, creating the false and misleading impression that it is an official website associated with the Complainant and its MELISSA product catalog. The MELISSA mark clearly fulfills the internationally-recognized criteria for protection as a well-known trademark. The disputed domain name reproduces exactly the name of one of the Complainant's shoe models, i.e. the "Melissa City Platform".

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has never licensed, authorized or otherwise permitted the Respondent to use the MELISSA trademark or to register any domain name incorporating it. Further, there is no evidence that the Respondent is commonly known by the name "Melissa" or by the disputed domain name. Nor does the disputed domain name resolve to an active website offering any bona fide goods or services. Instead, it is listed for acquisition through a broker service.

The disputed domain name has been registered and is being used in bad faith. Given the longstanding use, extensive reputation, international commercial presence, including in the United States where the Respondent is located, and highly distinctive character of the MELISSA mark, it is inconceivable that the Respondent was unaware of the Complainant and its rights when registering the disputed domain name. The Respondent registered a domain name consisting exclusively of the Complainant's MELISSA trademark and combined it with the ".city" gTLD, which reinforces the false impression that the disputed domain name corresponds to the Complainant's official product "Melissa City Platform". This composition carries a high risk of implied affiliation and demonstrates an intent to capitalize on the reputation and goodwill associated with the MELISSA mark. Additionally, the Respondent has made the disputed domain name available for sale, further demonstrating that her primary interest in the disputed domain name is commercial rather than legitimate. Instead of making any bona fide use of the disputed domain name, the Respondent seeks to profit from its sale. The disputed domain name does not resolve to any active website. The passive holding of a domain name does not prevent a finding of bad faith, particularly where the complainant's mark is distinctive and well known, the respondent lacks rights or legitimate interests, and there is no plausible good faith use of the domain name.

B. Respondent

The Respondent contends that the Complainant has not met the burden of proof required under the Policy for a transfer of the disputed domain name.

The Respondent contends that, prior to receiving notice of this dispute, she was unaware of the Complainant. The Respondent acknowledges that the Complainant's mark and the disputed domain name are both "melissa." The scope of goods protected under the United States trademark registrations can be distinguished from the Respondent's scope of use. If the Complainant has not met its burden of proof under the second and third elements of the Policy, it is not necessary to determine confusing similarity under the first element.

The Respondent has rights and legitimate interests in respect of the disputed domain name. She develops community-based projects in the form of community guides and newsletters focused on various cities in Texas, United States. Before receiving any notice of this dispute, the Respondent had registered a family of ".city" domain names, all being the names of cities in Texas, for the purpose of developing community-based projects in the form of community guides and newsletters focused on those cities. The Respondent had already built at least two of the community guides and has demonstrated preparations to use the disputed domain name by registering it as part of the family, similarly to the Respondent's bona fide service offerings associated with the domain names <addison.city> and <balchsprings.city>, in due course. The Respondent's use is not, and will not be, related to the Complainant.

The Respondent registered, and will be using, the disputed domain name in good faith. The privacy shield on the Respondent's domain name registration happens automatically and is not an indication of bad faith by the Respondent. The mere fact that the parking page displays a message from the Registrar indicating that the domain name "is taken" is inconsequential. It is the Registrar's standard to display such messages on parked pages. The Complainant has not presented any evidence that the domain name was registered

primarily for the purpose of selling it to the Complainant or its competitors for an amount that exceeds the Respondent's cost of registration.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant must prove each of the following 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.

The burden of proof of each element is borne by the Complainant. Failure to demonstrate any one element will result in denial of the Complaint.

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. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

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

The entirety of the mark is reproduced within the disputed domain name. The only additional element is a TLD (".city") which, as a standard requirement of domain name registration, may be disregarded in the assessment of identity or confusing similarity for the purposes of the Policy. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. See [WIPO Overview 3.1](#), sections 1.7 and 1.11.1.

Therefore, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Given the Panel's findings in Section 6.C below, regarding bad faith under the third element of the Policy, it is unnecessary to consider the second element of the Policy.

C. Registered and Used in Bad Faith

The Panel notes that the third element of paragraph 4(a) of the Policy contains two requirements that apply conjunctively. A complainant must show both that the disputed domain name has been registered in bad faith and also that it is being used in bad faith. The former requires a demonstration that the Respondent knew, or should have known, of the Complainant and/or the Complainant's trademark at the time when it registered or acquired the disputed domain name and that it registered the disputed domain name with a bad faith intention targeting the Complainant and/or its mark.

In the present case, the disputed domain name was registered in 2025, years after the Complainant's earliest trademark registrations for MELISSA, including in the United States, where the Respondent is based. The disputed domain name is identical to the mark, adding only the TLD ".city".

The Complainant submits that it is inconceivable that the Respondent was unaware of the Complainant and its rights when registering the disputed domain name. It describes its extensive distribution network and

presents evidence of its online presence, including a dedicated website in Portuguese directed at the Brazilian market, and another in English directed at the United States market and elsewhere, both offering for sale MELISSA-branded shoes and accessories. The Complainant also shows that the top results of a Google search for “melissa” (conducted in Brazil) all relate to itself. The Complainant does not address the fact that “Melissa” is a popular personal name in the United States but it does show that one of its shoe models is named the “Melissa City Platform”. The Panel notes that the disputed domain name, including the TLD, only partly corresponds to the name of that shoe model (omitting “platform”), which the evidence only shows as available on the Complainant’s Portuguese-language site. In any case, the Complainant’s own evidence shows that the top results of a Google search for “melissa.city” include not only that shoe model but also the city of Melissa, Texas, United States.

The Complainant alleges that the Respondent holds the disputed domain name for resale. However, the disputed domain name resolves to a parking page hosted by the Registrar (as described in Section 4 above) without actively advertising it for sale. Moreover, generally speaking, prior UDRP panels have found that the practice as such of registering a domain name for subsequent resale (including for a profit) would not by itself support a claim that the respondent registered the domain name in bad faith with the primary purpose of selling it to a trademark owner (or its competitor). See [WIPO Overview 3.1](#), section 3.1.1.

The Respondent submits that she was unaware of the Complainant prior to receiving notice of this dispute. She shows that “Melissa” is indeed the name of a city in Texas and, further, that the disputed domain name is one of a series of 17 domain names that she registered in the “.city” TLD during a four-month period from November 2025 to February 2026, each consisting of the name of a different city in that State. The other domain names in the series are <addison.city>, <arlington.city>, <balchsprings.city>, <coppell.city>, <denison.city>, <desoto.city>, <forney.city>, <grandprairie.city>, <hutchins.city>, <lewisville.city>, <mckinney.city>, <mesquite.city>, <murphy.city>, <redoak.city>, <seagoville.city>, and <wylie.city>. These cities (like Melissa) are located inside the Dallas-Fort Worth metroplex and within a radius of approximately 60 kilometers from the Respondent’s contact street address in Dallas, with one exception (i.e., Denison, which is further north). These circumstances give rise to an inference that “Melissa” and “.city” were chosen in the disputed domain name as part of the Respondent’s domain name portfolio because of the location of the city of Melissa.

In view of the above evidence, the Panel considers it more likely that the Respondent chose to register “Melissa” based on its geographical significance, rather than its value as the Complainant’s trademark.

Additionally, the Respondent alleges that she intends to develop community guides and newsletters focused on the cities reflected in her series of 17 “.city” domain names. Indeed, two domain names in the series (<addison.city> and <balchsprings.city>) already resolve to community guide websites titled “Addison TX Insider” and “Balch Springs Insider”, respectively. On the other hand, the Registrar’s WhoIs database offers for sale another such domain name (<arlington.city>), while three more (<lewisville.city>, <mckinney.city>, and <mesquite.city>) are shown as taken but also for sale (per Annex 1 to the Response). In the Panel’s view, however, this circumstance does not alter the pattern of registrations corresponding to Texas city names and, as such, does not alter the Panel’s conclusion.

Accordingly, the Panel does not find that the disputed domain name was registered in bad faith.

Based on the record, the Panel finds that the Complainant has not established the third element of the Policy.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: September 14, 2026