

ADMINISTRATIVE PANEL DECISION

MO GLOBAL EYEWEAR S.L. v. Three m and a, Three M&A
Case No. D2026-3198

1. The Parties

The Complainant is MO GLOBAL EYEWEAR S.L., Spain, represented by Ballester Intellectual Property SLPU, Spain.

The Respondent is Three m and a, Three M&A, Egypt, self-represented.

2. The Domain Name and Registrar

The disputed domain name <moeyewear.org> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in Spanish with the WIPO Arbitration and Mediation Center (the “Center”) on July 21, 2026. On the same day, 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 (Desconocido (Registration Private)) 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 in Spanish on July 24, 2026.

On July 22, 2026, the Center informed the parties in English and Spanish, that the language of the registration agreement for the disputed domain name is English. On July 24, 2026, the Complainant confirmed its request that Spanish be the language of the proceeding. The Respondent did not comment on the Complainant’s request but submitted the Response in English.

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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2026. The Respondent sent email communications to the Center on July 29 and July 30, 2026. The Response (described as a supplemental statement to the prior email) was filed with the Center in English on August 17, 2026.

The Center appointed Matthew Kennedy as the sole panelist in this matter on August 31, 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 Spanish company that carries on business in the optical sector. It holds trademark registrations in multiple jurisdictions, including European Union trademark registration number 7490923 for a figurative mark consisting of the name “mó” cut off at the bottom, registered on July 29, 2009 (the “MÓ mark”), specifying spectacles and other goods and services in classes 5, 9, 35, and 44. The Complainant operates over 500 physical stores, most of them in Spain. The Complainant has also registered multiple domain names, including <moeyewear.com>, which redirects to the domain name <multiopticas.com>, which is associated with a website that offers for sale the Complainant’s spectacles, sunglasses, contact lenses, and earphones. Prices are in EUR. The Complainant also operates several social media accounts under the username “@moeyewear”, in particular on Instagram. Its Instagram account displays the MÓ mark and a link to its website.

The Respondent is identified in the Registrar’s database by the business name “Three m and a” also written as “Three M&A”, but the Response was filed by an individual named “Mohamed Khaled Ali Hassan”. The Respondent operates an eyewear business in Egypt. The signage on its physical store displays “MO Eyewear”, including a detached horizontal bar beneath the letter “O” (the “Respondent’s logo”). The Respondent operates Facebook and Instagram accounts named “MO Eyewear”, which also display the Respondent’s logo. Its Instagram account username is “@moeyewear1” and the account links to the website associated with the disputed domain name.

The disputed domain name was registered on April 1, 2026. It resolves to a website in English that prominently displays the Respondent’s logo, offering for sale eyeglasses, contact lenses, and sunglasses of multiple international brands. Prices are in EGP.

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 it carries on business and identifies its company group in the marketplace as “MO EYEWEAR”. It operates on social media under the username “@moeyewear”. Its Complaint is principally based on its registration of the MÓ mark. It also holds other marks incorporating the distinctive element “MO” as their core name. In any case, the term “MO” has a well-established reputation in the optical sector, which is clearly recognized by consumers as an indicator of the Complainant’s business origin. The disputed domain name is practically identical to the dominant element of the Complainant’s renowned prior mark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not known by the name MO or MOEYEWEAR, and he has no license, authorization, or business relationship with the Complainant that would enable him to register and use the disputed domain name.

The disputed domain name was registered and is being used in bad faith. It was registered more than a decade after the creation of the MÓ brand, after the consolidation of the Complainant as an international group in the optical sector, when the Complainant was already operating active profiles on social media under the username “@moeyewear”. That username is reproduced in the Respondent’s Instagram username with the mere addition of the digit “1”. The Respondent operates an optical goods business in the same sector as the Complainant, and markets third party goods.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

The letters “MO” were selected as a natural abbreviation of the Respondent's own first name, without reference to the Complainant. The fact that two letters may appear in the commercial identifiers of two different businesses does not, by itself, establish that one party selected the letters with knowledge of or intent to target the other. The Parties have different commercial identities. The Respondent's business identity is “MO Eyewear” whereas the Complainant’s is MO GLOBAL EYEWEAR S.L. and it operates within a broader commercial identity associated with its Multiópticas business.

The Complainant's domain name portfolio does not establish targeting. The Complainant operates the domain name <multiópticas.com> and also maintains <moeyewear.com>. The existence of these domain names does not establish that the Respondent registered the disputed domain name with knowledge of, or an intention to target, the Complainant. The mere coexistence of domain names containing similar terms does not establish bad faith without evidence demonstrating that the Respondent selected the disputed domain name because of the Complainant.

The Respondent was not aware of the Complainant or its business at the time of registration of the disputed domain name on April 1, 2026. The Respondent did not select the disputed domain name after researching, studying, or attempting to exploit the Complainant's business. The Respondent developed the website associated with the disputed domain name for an independent eyewear business intended for the Egyptian market. It has not been represented as belonging to, being operated by, or being affiliated with the Complainant. The Respondent has not intentionally copied the Complainant's logo, website design, photographs, written content, social media branding, trade dress, or other visual identity. The Respondent developed his own logo and business identity.

The Respondent rejects the inference that he must have known of the Complainant due to the similarity of their social media account usernames. The Respondent's social media accounts are part of his independent eyewear business in Egypt. The use of “MO” has the same independent origin (i.e., his first name). The addition of the number “1” does not, by itself, establish that the Respondent knew of the Complainant or selected his username to target the Complainant. There is no statement on the Respondent's social media accounts claiming that the Respondent is affiliated with or authorized by the Complainant.

There is no evidence of any offer to sell the disputed domain name or other evidence of bad faith. The disputed domain name is part of a genuine and ongoing business project. It was not acquired merely for resale or domain parking. The Respondent has developed and continues to maintain an actual website associated with the disputed domain name. The Respondent has invested time and resources into developing the website, branding, and business presence associated with the disputed domain name. The website continues to operate. The disputed domain name is on hold pending resolution of the dispute. As a result, the Respondent has been unable to proceed normally with certain changes to it and its associated technical infrastructure.

6. Discussion and Findings

6.1. Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is English. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and amended Complaint were filed in Spanish. The Complainant requested that the language of the proceeding be Spanish for several reasons, including the fact that it is a Spanish company, its documentary evidence is primarily in Spanish, and it considers that translation would generate unnecessary costs and delays.

The Respondent did not comment on the Complainant's request for the language of the proceeding to be Spanish and filed the Response in English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. See [WIPO Overview 3.1](#)), section 4.5.1.

The Panel observes that the Respondent has taken the opportunity to present its case in the Response which shows that it has in fact understood the Complaint.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English but that it will accept the Complaint and amended Complaint as filed, without translation.

6.2. Substantive Issues

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a MÓ trademark for the purposes of the Policy. See [WIPO Overview 3.1](#), section 1.2.1. Given that finding, it is unnecessary to consider the potential existence of unregistered rights in a wordmark consisting of "MO".

The disputed domain name includes the ASCII equivalent of the MÓ mark (i.e., “MO”). Given that letters containing diacritical marks are frequently converted to corresponding ASCII characters in domain names, the Panel does not consider that this difference avoids a finding of confusing similarity. The disputed domain name also omits the figurative elements of the mark but, as these cannot be reflected in a domain name for technical reasons, this does not prevent a finding of confusing similarity for the purposes of the Policy either. The disputed domain name adds the word “eyewear” after “mo” but, despite this addition, sufficient aspects of the mark remain for it to be recognizable within the disputed domain name. The only other element in the disputed domain name is a generic Top-Level Domain (“gTLD”) extension (“.org”) which, as a standard requirement of domain name registration, may be disregarded in the assessment of confusing similarity for the purposes of the Policy. Accordingly, the Panel finds the disputed domain name confusingly similar to the Complainant’s MÓ mark. See [WIPO Overview 3.1](#), sections 1.7, 1.8, 1.10, and 1.11.1.

Therefore, 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. See [WIPO Overview 3.1](#), section 2.1.

In the present case, the disputed domain name incorporates the ASCII equivalent of the Complainant’s MÓ mark (i.e., “MO”), and combines it with the word “eyewear” which describes the nature of the Complainant’s goods. This gives rise to a risk of implied affiliation. The disputed domain name resolves to a website prominently displaying the Respondent’s logo, and offering for sale the same type of goods as the Complainant. This gives rise to the confusing impression that the website and the eyewear that it offers for sale may be affiliated with, or endorsed by, the Complainant. The eyewear offered on the Respondent’s site is not the Complainant’s brand. The Complainant submits that the Respondent has no license, authorization, or business relationship with the Complainant that would enable him to register and use the disputed domain name. The website displays no disclaimer of any relationship with the Complainant. These circumstances do not indicate that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services. Nor is he making a legitimate noncommercial or fair use of the disputed domain name.

Further, the Registrar has verified that the Respondent is named “Three m and a” or “Three M&A”, which does not resemble the disputed domain name. This does not indicate that the Respondent has been commonly known by the disputed domain name.

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.

Turning to the Respondent, it submits that it developed its website for an independent eyewear business intended for the Egyptian market; and that it has not been represented as belonging to, being operated by, or being affiliated with the Complainant. However, the composition of the disputed domain name itself gives rise to a risk of implied affiliation. Although the Respondent has developed its own logo, that logo contains the ASCII equivalent of the Complainant’s MÓ mark and a description of the nature of the Complainant’s goods. The Respondent’s website sells the same type of goods, giving rise to the confusing impression that

it may be for an Egyptian affiliate of the Complainant.

The Respondent submits that the name used by its business ("MO Eyewear") is not identical to the Complainant's corporate name ("MO GLOBAL EYEWEAR S.L."). However, that name still incorporates the ASCII equivalent of the Complainant's MÓ mark. While the Response submits the identification documents of an individual named "Mohammed" (a given name that is often abbreviated to "Mo" in western countries), the Respondent does not submit any evidence of recognition, showing that that individual connected to the Respondent's business is commonly known as "Mo".

Accordingly, the Respondent has not rebutted the Complainant's prima facie showing.

Based on the record, 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 fourth circumstance is as follows:

"(iv) by using the [disputed] domain name, [the respondent has] intentionally attempted to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] web site or location."

In the present case, the disputed domain name was registered in 2026, years after the registration of the Complainant's MÓ mark. It combines the ASCII equivalent of the Complainant's mark (i.e., "MO") with the term "eyewear", which describes the nature of the Complainant's goods. The Respondent sells the same type of goods, including international brands, implying that it has a heightened awareness of eyewear brands such as the Complainant's brand, which has been the subject of widespread and longstanding use prior to the registration of the disputed domain name, including online. The likelihood that the disputed domain name contains "MO" by coincidence is diminished by the fact that the disputed domain name (including "eyewear") is nearly identical to a domain name used by the Complainant to redirect to its website (using the gTLD extension ".org" instead of ".com") and, further, the Respondent's Instagram account username is nearly identical to the Complainant's Instagram account username (adding only a "1"). Despite the fact that the mark contains only two letters, and that an individual connected to the Respondent's business is named Mohammed, in view of all the circumstances, the Panel finds it more likely than not that the Respondent knew of the Complainant's mark at the time when it registered the disputed domain name five months ago.

As regards use, the disputed domain name may divert Internet users searching for the Complainant or its MÓ brand of spectacles, sunglasses, and contact lenses to the Respondent's website. Given the Panel's findings in Section 6.2B and this Section above, the Panel finds it more likely than not that this use falls within the terms of paragraph 4(b)(iv) of the Policy.

Therefore, 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 <moeyewear.org> be transferred to the Complainant.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: September 8, 2026