

ADMINISTRATIVE PANEL DECISION

B.FOREVER v. co co

Case No. D2026-3221

1. The Parties

The Complainant is B.FOREVER, France, represented by Atlan & Boksenbaum, France.

The Respondent is co co, United States of America.

2. The Domain Name and Registrar

The disputed domain name <agnesb-jp.com> (the “Disputed Domain Name”) 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 22, 2026. On July 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 23, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 23, 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 amendment to the Complaint on July 23, 2026.

The Center verified that the Complaint together with the amendment to the 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 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 20, 2026.

The Center appointed Yuzo Wada 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, through its exclusive licensee C.M.C., creates, manufactures and distributes various men's and women's ready-to-wear clothing and accessories under the "Agnes B." brand. C.M.C. commercializes these products through a wide network of high-end points of sale and on the official website "www.agnesb.com/fr-eu" it operates.

The Complainant owns various trademark registrations consisting of the term AGNES B in various jurisdictions. The Complainant's portfolio of AGNES B. trademark registrations includes, inter alia, the following trademark registrations:

- AGNES B., International Trademark Registration No. 482198, registered on January 18, 1984, and protected in numerous jurisdictions, in Classes 3, 14, 18, 24, and 25;
- AGNES B., United States Trademark Registration No. 1442634, registered on June 16, 1987, in Classes 3, 9, 14, 16, 18, 20, 21, and 24;
- AGNES B., United States Trademark Registration No. 1336761, registered on May 21, 1985, in Class 25; and
- AGNES B., French Trademark Registration No. 1338306, registered on January 13, 1986, in Classes 3, 14, 16, 18, 20, 21, 24, 25, and 28.

The Disputed Domain Name was registered on June 23, 2026.

At the time of filing the Complaint, the Disputed Domain Name resolved to a website in Japanese displaying the Complainant's trademarks and product images, for the purpose of selling products covered by the Complainant's trademarks.

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 identical or confusingly similar to the Complainant's AGNES B. trademark.

The Complainant contends that the Respondent lacks any rights to or legitimate interests in the Disputed Domain Name.

The Complainant contends that the Respondent registered and is using the Disputed Domain Name in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that the complainant prove each of the following three elements to obtain a decision that a domain name should be either cancelled or transferred:

- (i) the 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 domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

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 Panel finds that the Complainant has rights in the registered mark AGNES B. The Panel further finds that the Disputed Domain Name is confusingly similar to this mark, since the Complainant trademark AGNES B. is recognizable in the Disputed Domain Name. The Panel finds the addition of the term "-jp" does not prevent a finding of confusing similarity between the Disputed Domain Name and the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Under the second element of the Policy, the Complainant must show that the Respondent has no rights or legitimate interests with respect to the Disputed Domain Name. The Respondent may establish a right or legitimate interest in the Disputed Domain Name by demonstrating any of the following non-exhaustive circumstances listed in paragraph 4(c) of the Policy:

- (a) that the Respondent has used, or made preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services prior to any notice of the dispute; or
- (b) that the Respondent has been commonly known by the Disputed Domain Name, even if the Respondent has not acquired any trademark rights; or
- (c) that the Respondent is making a legitimate noncommercial or fair use of the Disputed Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainant's AGNES B. trademark registrations predate the Respondent's registration of the Disputed Domain Name which is confusingly similar to the Complainant's AGNES B. trademarks. The Respondent has no connection or affiliation with the Complainant. In addition, the Complainant has not authorized or otherwise consented to the Respondent's use of the trademarks in connection with the Disputed Domain Name.

From the evidence in the case record, the Disputed Domain Name resolved to a website, which reproduces the Complainant's AGNES B. trademark and product images, and purports to offer for sale the products covered by the Complainant's AGNES B. trademark, without disclosing that the Respondent has no relationship or affiliation with the Complainant. This suggests that the Respondent is using the Disputed Domain Name to mislead Internet visitors by creating an affiliation with the Complainant where no affiliation exists.

In these circumstances, the Panel finds that the Respondent's use of the Disputed Domain Name cannot be regarded as use in connection with a bona fide offering of goods or services.

Accordingly, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The burden of production therefore shifts to the Respondent to demonstrate otherwise.

Although given the opportunity, the Respondent has not participated in this dispute and has not submitted any evidence to demonstrate that the Respondent holds any trademark rights corresponding to the Disputed Domain Name or that the Respondent is or has been commonly known by the Disputed Domain Name. The Respondent has not come forward with any rights or legitimate interests in the Disputed Domain Name.

Thus, the Panel concludes that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

According to paragraph 4(b) of the Policy, the following circumstances, in particular but without limitation, shall be evidence of the registration and use in bad faith:

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

Based on the evidence submitted by the Complainant, the Panel finds that the Respondent registered and is using the Disputed Domain Name in bad faith since the Respondent's actions fall within the scope of the example of such circumstances set out in paragraph 4(b)(iv) of the Policy.

The Disputed Domain Name was registered decades after the Complainant first acquired rights in the AGNES B. trademark.

The Panel accepts the Complainant's contention that the Complainant's AGNES B. trademark is internationally well known (*B. Forever v. Wen Shuhui*, WIPO Case No. [D2020-0782](#)). The incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith (*Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The*

Polygenix Group Co., WIPO Case No. [D2000-0163](#); *General Electric Company v. CPIC NET and Hussain Syed*, WIPO Case No. [D2001-0087](#); *Microsoft Corporation v. Montrose Corporation*, WIPO Case No. [D2000-1568](#); and *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#)).

Without the authorization from the Complainant, the Respondent registered the Disputed Domain Name incorporating the Complainant's well-known mark and resolved it to a website, which reproduces the Complainant's AGNES B. trademark and product images, and purports to offer for sale the products covered by the Complainant's AGNES B. trademark.

The Panel accepts that the Respondent is seeking to create an impression that its website is the Complainant's official website. Irrespective of whether the goods offered on the Respondent's website are in fact counterfeit, the reproduction of the Complainant's trademark and product images on the Respondent's website without displaying a clear disclaimer of a lack of relationship or affiliation between the Respondent and the Complainant, is indicative 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 <agnesb-jp.com> be transferred to the Complainant.

/Yuzo Wada/

Yuzo Wada

Sole Panelist

Date: September 15, 2026