ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

JJA v. Fleming Anthony, AnthonyFleming, Jordan Jeffery, JefferyJordan, Conley Evan, EvanConley, Watkins Delilah, DelilahWatkins, Sellers Mia, MiaSellers
Case No. D2026-3776

1. The Parties

The Complainant is JJA, France, represented by Dennemeyer & Associates S.A., Luxembourg.

The Respondents are Fleming Anthony, AnthonyFleming; Jordan Jeffery, JefferyJordan; Conley Evan, EvanConley; Watkins Delilah, DelilahWatkins; and Sellers Mia, MiaSellers, United States of America.

2. The Domain Name and Registrar

The disputed domain names <hesperidejardin.com>, <hesperidepromo.com>, <hesperidesalonjardin.com>, <mobilierhesperidefr.com>, and <mobilierhesperidesoldes.com> are registered with GMO Internet Group, Inc. d/b/a Onamae.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 26, 2026. On August 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 28, 2026, the Registrar transmitted by email to the Center its verification responses disclosing registrant and contact information for the disputed domain names that differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on September 3, 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 September 8, 2026.

On September 11, 2026, the Complainant confirmed that it no longer wished to pursue the Complaint concerning <jardinhesperides.com>. On September 14, 2026, the Center confirmed the partial withdrawal of the Complaint as to that domain name. The proceeding continued in relation to the five disputed domain names identified above.

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 Respondents of the Complaint, and the proceedings commenced on September 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 7, 2026.

On September 24, 2026, a third party contacted the Center claiming that its identity and/or contact details had been used without authorization in connection with one of the disputed domain names. On September 28, 2026, the Center informed the Parties that the communication would be forwarded to the Panel for its consideration.

The Center appointed Tobias Zuberbühler as the sole panelist in this matter on October 19, 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 French company founded in 1976, offering a comprehensive range of products in the home furnishing and decor sectors.

The Complainant owns numerous HESPERIDE trademarks, including European Union Trade Mark Registration No. 10379196 registered on April 30, 2012.

The disputed domain names were registered between July 9, 2026, and August 10, 2026, and resolve to websites purporting to mirror the Complainant's official website ("www.hesperide.com") and offering the Complainant's products at discounted prices.

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 names.

B. Respondents

The Respondents have not submitted any response to the Complainant's contentions.

6. Discussion and Findings

A. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not object to the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes that two of the disputed domain names (<hesperidesalonjardin.com> and <mobilierhesperidesoldes.com>) were registered on the same day (July 9, 2026) and all disputed domain names were registered within less than five weeks through the same Registrar and resolve to websites with very similar content and highly similar structure.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

B. 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 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 trademark HESPERIDE is reproduced within the disputed domain names, and as such, the Complainant's trademark is considered as recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms (here "salonjardin", "mobilier", "soldes", "jardin", "fr", and "promo") 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 trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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

C. 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 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 that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

The Panel finds that the composition of the disputed domain names incorporating the Complainant's trademark together with various other terms related to the Complainant's business, coupled with the use of the disputed domain names to resolve to websites purporting to offer the Complainant's goods at discounted prices (without any indication that they are not affiliated with the Complainant), and generally copying the look and feel of the Complainant's official site, using the Complainant's logo, does not amount to a bona fide offering of goods or services as it effectively impersonates or suggests sponsorship or endorsement by the Complainant.

The Panel finds that the second element of the Policy has been established.

D. Registered and Used in Bad Faith

Under the circumstances of this case, it can be inferred that the Respondent was aware of the Complainant's trademark when registering the disputed domain names.

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, 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.

Having reviewed the available record and noting the composition of the disputed domain names and the use made thereof, under the circumstances of this case, the Panel finds that the registration and use of the disputed domain names amount to the conduct prescribed under paragraph 4(b)(iv) of the Policy. In particular, the Respondent's use of the disputed domain names to purportedly offer for sale and promote the Complainant's goods at discounted prices, while using the Complainant's logo without any indication that it is not affiliated with the Complainant, demonstrates an intention to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademarks. Therefore, the Panel finds that the disputed domain names were registered and are being used in 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 names <hesperidejardin.com>, <hesperidepromo.com>, <hesperidesalonjardin.com>, <mobilierhesperidefr.com>, and <mobilierhesperidesoldes.com> be transferred to the Complainant.

/Tobias Zuberbühler/
Tobias Zuberbühler
Sole Panelist
Date: November 2, 2026