

ADMINISTRATIVE PANEL DECISION

**Barnes Europe Consulting Kft., Ms. Heidi Barnes-Watson v. Marvin Brosin,
barnes-International
Case No. D2026-3819**

1. The Parties

The Complainants are Barnes Europe Consulting Kft., Hungary, and Ms. Heidi Barnes-Watson, United States of America ("US"), represented by MIIP – MADE IN IP, France.

The Respondent is Marvin Brosin, barnes-International, US.

2. The Domain Name and Registrar

The disputed domain name <barnes-International.net> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 26, 2026. On August 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 26, 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 (Contact Privacy Inc. Customer 0178079103) and contact information in the Complaint. The Center sent an email communication to the Complainants on August 27, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on August 27, 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 September 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 23, 2026.

The Center appointed Christopher J. Pibus as the sole panelist in this matter on October 5, 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 Complainants operate real estate agencies as well as a range of other luxury services, including private jet and yacht charter, art advisory, interior decoration, and brokerage services worldwide under the name BARNES and the BARNES trademarks. Founded over 20 years ago, the Complainants are a leading international player in high-end residential real estate, established in the world's popular cities and holiday destinations around the world. The BARNES agencies provide brokerage services related to real estate including sales, rental and property management operations. The Complainants claim that the BARNES trademarks enjoy a worldwide reputation.

The Complainants jointly own a portfolio of BARNES-formative marks in several jurisdictions including France, European Union ("EU"), United Kingdom ("UK"), Canada, US and International trademark registrations:

- French trademark registration BARNES No. 3861673, filed on September 26, 2011;
- International trademark registration BARNES No. 1114909, registered on March 13, 2012;
- UK trademark registration BARNES No. UK00801114909, registered on March 26, 2013;
- French trademark registration B BARNES INTERNATIONAL REALTY No. 4251838, registered on June 17, 2016;
- International trademark registration B BARNES INTERNATIONAL REALTY No. 1324244, registered on August 23, 2016;
- Canadian trademark registration B BARNES INTERNATIONAL REALTY No. TMA1079518, registered on June 10, 2020;
- EU trademark registration BARNES No. 018037155, registered on September 26, 2019;
- UK trademark registration BARNES No. UK00918037155, registered on September 26, 2019;
- International trademark registration BARNES No. 1510264, registered on June 27, 2019;
- US trademark registration BARNES No. 90587275, registered on September 27, 2022;
- French trademark registration BARNES No. 4840210, filed on February 3, 2022
- French trademark registration B BARNES INTERNATIONAL No. 4840275, registered on November 11, 2022;
- International trademark registration BARNES No. 1691188, registered on May 30, 2022;
- International trademark registration B BARNES INTERNATIONAL No. 1690818, registered on May 30, 2022;
- Canadian trademark registration BARNES INTERNATIONAL REALTY No. TMA1090929, registered on January 5, 2021.

The Complainants also own the domain name <barnes-international.com>, which redirects to the BARNES official website: registered on July 25, 2007.

The disputed domain name - which combines the words "barnes" and "International" - was registered on April 20, 2026, but it is not associated with an active website; rather it points to a default landing page. In addition, the Respondent has configured Mail Exchange ("MX") records associated with the disputed domain name.

5. Parties' Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a

transfer of the disputed domain name.

Notably, the Complainants contend that the Respondent has engaged in typo-squatting in the form of a deliberate misspelling of the Complainants' trademark in the disputed domain name, in a manner calculated to deceive Internet users by creating a likelihood of confusion with the Complainants' trademark and taking unfair advantage of such trademark in order to generate profits, which is compelling evidence of bad faith registration and use of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainants must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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.

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 Complainants have shown rights in respect of the BARNES trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the BARNES mark and the dominant and/or distinctive part of the B BARNES INTERNATIONAL and B BARNES INTERNATIONAL REALTY marks of the Complainants is reproduced within the disputed domain name and the Panel finds the mark is recognizable within the disputed domain name. The disputed domain name includes a deliberate misspelling of the word "international", substituting the lower-case letter "i" for lower-case letter "l", which is a classic example of typo-squatting. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7, and 1.9.

The Complainants have relied on a recent UDRP decision with a highly similar fact situation involving the addition of the term "International", an intentional misspelling for "international" combined with the name BARNES. The panel in that case found that the addition of such a term did not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8; and *Barnes Europe Consulting Kft., Heidi Barnes-Watson v. Ricardo Lopez*, WIPO Case No. [D2025-5359](#).

Although the addition of other terms here, the misspelled word "International" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark 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

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

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. In particular, the Panel notes that the Respondent is not commonly known by the disputed domain name, and the Respondent is not sponsored by or affiliated with the Complainants in any way, nor have the Complainants given the Respondent a license, authorization or permission to use the Complainants’ trademark in any manner, including in domain names. The Respondent has engaged in deliberate typo-squatting, which is a clear indicator of the absence of rights and legitimate interests. The Respondent has not rebutted the Complainants’ prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

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.

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.

In the present case, the Panel notes a number of factors which are probative of bad faith registration and use by the Respondent including: (1) deliberate typo-squatting; (2) the use of a seemingly false or inconsistent address and contact particulars; (3) the configuration of MX records allowing for functionality for emails, which could potentially support fraudulent activities (particularly noting the typo-squatting nature of the disputed domain name); and (4) the failure to offer any sort of defence or response.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the acquired distinctiveness and reputation of the Complainants’ trademark, the composition of the disputed domain name (that is, the combination of the words BARNES and “International”), which results in a domain name similar to the Complainant’s one, and the deliberate typo-squatting, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainants have 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 <barnes-International.net> be transferred to the Complainant, Barnes Europe Consulting Kft.

/Christopher J. Pibus/

Christopher J. Pibus

Sole Panelist

Date: October 19, 2026