

ADMINISTRATIVE PANEL DECISION

Barnes Europe Consulting Kft., Ms. Heidi Barnes-Watson v. Delyan Lilov
Case No. D2026-3861

1. The Parties

The Complainant is Barnes Europe Consulting Kft. (the “First Complainant”), Hungary, and Ms. Heidi Barnes-Watson (the “Second Complainant”), United States of America, represented by MIIP MADE IN IP, France.

The Respondent is Delyan Lilov, Bulgaria.

2. The Domain Name and Registrar

The disputed domain name <barnes-mena.com> 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 August 28, 2026. On August 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 31, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 31, 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 4, 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 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 2, 2026.

The Center appointed Andrew F. Christie as the sole panelist in this matter on October 8, 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 in this administrative proceeding are Barnes Europe Consulting Kft. and Ms. Heidi Barnes-Watson. The First Complainant and the Second Complainant are collectively referred to herein as the "Complainants".

The Complainants are real estate agents doing business in respect of high-end properties in a number of regions in the world, through an integrated network of 158 agencies established in 21 countries.

The Complainants are the joint owners of numerous trademark registrations for the word trademark BARNES, including French Trademark No. 3861673 (registered on January 20, 2012), European Union Trademark No. 018037155 (registered on September 26, 2019), and International Trademark No. 1510264 (registered on June 27, 2019).

The Complainants are also the registrants of numerous domain names consisting of BARNES and a geographical location, including <barnes-international.com> (registered on July 25, 2007) and <barnes-dubai.com> (registered on June 12, 2014).

The Respondent is a former licensee of the Complainants. The Respondent's license was officially terminated on August 3, 2026, for breach of the obligation to pay annual royalties and invoiced costs and services. The termination letter informed the Respondent that he was no longer authorized to use the BARNES trademark.

The disputed domain name was registered on August 4, 2026, the day after the Respondent was notified of the termination of the license from the Complainants. In subsequent email correspondence, the Complainants informed the Respondent that he was not entitled to register the disputed domain name and requested that he cease to use it. The Respondent did not accede to this request.

The Complainants provided evidence showing that, on August 27, 2026, the disputed domain name redirected to the Complainants' domain name <barnes-dubai.com>, which at that time was not active. As at the date of this Decision, the disputed domain name redirects to the Complainants' website at "www.barnes-dubai.com".

5. Parties' Contentions

A. Complainant

The Complainants contend that the Complaint may be brought jointly in the names of the First Complainant and the Second Complainant on the following grounds. The trademarks on which the Complaint is based are the joint ownership of the Complainants. All claims or actions based on these trademarks must therefore be brought in the name of the joint owners. The Complainants have a common grievance against the Respondent and a common legal interest in relevant rights that are affected by the Respondent's conduct. The disputed domain name targets the rights which the Complainants jointly own, which constitutes a specific grievance against the Respondent. It would be equitable and procedurally efficient to permit the consolidation, since the Respondent would only require answering a single Complaint in respect of the Complainants' combined grievances.

The Complainants contend that the disputed domain name is confusingly similar to a trademark in which they have rights on the following grounds. The disputed domain name wholly incorporates the Complainants' trademark BARNES and merely adds a hyphen and the geographic identifier "MENA", which is a common abbreviation for Middle East and North Africa. Where the distinctive and prominent element of a domain name is the complainant's mark and the only deviation from this is the inclusion of a geographic indicator as a prefix or a suffix, such prefix or suffix does not typically negate the confusing similarity between the domain name and the mark. In this case, "barnes" is the distinctive and prominent element of the disputed domain name and the addition of "-mena" does nothing to negate the confusing similarity between the disputed domain name and the Complainants' BARNES trademark. On the contrary, incorporating the geographic term "mena", that identifies a location where the Complainants have agencies, increases the likelihood of confusion.

The Complainants contend that the Respondent has no rights or legitimate interests in the disputed domain name on the following grounds. According to a search on the Global Brand database, the Respondent does not own any trademark rights in BARNES-MENA. A simple Google search on BARNES-MENA almost only leads to results related to the Complainants. It is not possible to imagine the existence of a legitimate activity by the Respondent using BARNES-MENA. It seems more than likely that the Respondent is not commonly known as BARNES-MENA. The Respondent does not appear to engage in any legitimate noncommercial or fair use of the disputed domain name, or in any use in connection with bona fide offering goods and services. The Respondent was never authorized by the Complainants to register a domain name containing their trademark. The Respondent's license was officially terminated on August 3, 2026, and the letter notifying the Respondent of the termination stated that he was no longer authorized to use the Complainants' trademark. The Respondent has no legitimate interest in registering or using the disputed domain name. Redirecting the disputed domain name to an official domain name of the Complainants cannot constitute a bona fide offering goods or services or a legitimate noncommercial use under the disputed domain name.

The Complainants contend that the Respondent has registered and is using the disputed domain name in bad faith on the following grounds. The BARNES trademark enjoys a wide reputation worldwide. The Respondent's choice of the disputed domain name is not haphazard. Objectively, the only reason for having registered the disputed domain name is to create confusion in the public's mind, and thereby to carry out unlawful activities. The structure of the disputed domain name is the same as the domain names of the Complainants, namely "barnes-[locality]". A finding of bad faith use can be made when a respondent knew or should have known of a complainant's trademark rights, and nevertheless used a domain name incorporating the mark in which they had no rights or legitimate interests. The circumstances surrounding the Respondent's registration of the disputed domain name and its use demonstrate the Respondent's bad faith. The disputed domain name was registered the day after the termination of the Respondent's license agreement with the Complainants. The Respondent was notified that the registration and use of the disputed domain name was a violation of the Complainants' rights. Not only was the Respondent perfectly aware of the Complainants' rights but he knowingly registered and used the domain name without authorization and with the intent to cause confusion trying to impersonate the Complainants. Redirecting the disputed domain name to the Complainants' official domain name gives the Respondent an apparent legitimacy. MX Records for the disputed domain name are activated. The disputed domain name can be used for sending and receiving emails, and the Respondent, as a former licensee, may continue to solicit customers without authorization and take advantage of the reputation of the Complainants. It is clear that the registration was made by the Respondent to continue operating under the Complainants' trademark and to create confusion among the public. It is also evident from the correspondence between the parties that the Respondent is attempting to use this registration as a bargaining chip against the Complainants, which is entirely indicative of bad-faith conduct.

B. Respondent

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

6. Discussion and Findings

A. Filing of Complaint by Multiple Complainants

In this case, the First Complainant and the Second Complainant are joint owners of registrations for the trademark on which the Complaint is based. Accordingly, each of them has standing to bring this Complaint, and they may do so individually or jointly.

B. Identical or Confusingly Similar

The Complainants have shown rights in respect of a trademark or service mark for the purposes of the Policy. They are joint owners of a trademark registration for the word trademark BARNES.

The entirety of the Complainant's word trademark is reproduced within the disputed domain name, with the addition only of a hyphen, the letters "mena", and the generic Top-Level Domain ("gTLD") ".com". The Complainants' trademark is recognizable within the disputed domain name, and the addition of the hyphen and the letters "mena" does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy.

The Panel finds 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 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.

The Respondent is no longer a licensee of the Complainants, is no longer affiliated with the Complainants, and is no longer authorized by the Complainants to use their BARNES trademark. The Respondent has not provided any evidence that it has been commonly known by, or has made a bona fide use of, the disputed domain name, or that it has, for any other reason, rights or legitimate interests in the disputed domain name. The composition of the disputed domain name carries a risk of implied affiliation with the Complainants. As at the date of this Decision, the disputed domain name resolves to an official website of the Complainants. Such use of the disputed domain name is not a bona fide offering of goods or services, and is not a legitimate noncommercial or fair use. Accordingly, such use does not confer on the Respondent rights or legitimate interests in the disputed domain name.

The Complainants have put forward a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, and the Respondent has not rebutted this. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

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

D. 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.

As a former licensee of the Complainants, there can be no doubt that the Respondent registered the disputed domain name with knowledge of the Complainants' trademark.

In the present case, the Panel notes that: (i) when the Complainants terminated the Respondent's license, the Complainants expressly informed the Respondent that he was no longer authorized to use the Complainants' trademark; (ii) the Respondent registered the disputed domain name one day after termination of the license; (iii) the disputed domain name incorporates the Complainants' trademark in its entirety, and merely adds a hyphen and the letters "mena", which many Internet users will read as referring to the geographical location of the Middle East and North Africa, which is a region in which the Complainants operate using their trademark; and (iv) the Respondent has used the disputed domain name to resolve to an official website of the Complainant, which will falsely suggest to many Internet users that the Respondent is currently associated with the Complainants.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

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, and consistent with the Complainant's request, the Panel orders that the disputed domain name <barnes-mena.com> be transferred to the First Complainant, Barnes Europe Consulting Kft.

/Andrew F. Christie/

Andrew F. Christie

Sole Panelist

Date: October 22, 2026