

ADMINISTRATIVE PANEL DECISION

Serax nv v. Elizabeth Brown and Uuiroz Feffery
Case No. D2026-3870

1. The Parties

The Complainant is Serax nv, Belgium, represented by Co & Delarue, Belgium.

The Respondents are Elizabeth Brown, United States of America (“United States”) and Uuiroz Feffery, United States.

2. The Domain Names and Registrars

The disputed domain name <seraxboutique.com> is registered with Gname.com Pte. Ltd. (“Registrar 1”) and the disputed domain name <seraxofficial.shop> is registered with Dynadot Inc (the “Registrar 2”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 28, 2026. On August 31, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On September 1, 2026, the Registrars transmitted by email to the Center their verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Redacted for Privacy / Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 2, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on September 7, 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 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 6, 2026.

The Center appointed Zoltán Takács as the sole panelist in this matter on October 12, 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 in this administrative proceeding is a Belgian company active in the interior design sector.

The Complainant collaborates with creative professionals who design exclusive collections ranging from dinnerware, cutlery, tableware, glassware, cookware, kitchen and table accessories etc.

The Complainant markets its products to retailers and customers under the brand name Serax, which derives from the names of the two founders of the Complainant, Serge Van Den Bossche and Axel Van Den Bossche.

The Complainant is the owner of among others the International Trademark Registration No. 1383679 for the word mark SERAX registered on September 18, 2017.

The Complainant's website is accessible via the domain name <serax.com> and the Complainant's brand portal via the domain name <media.serax.com>. The domain name <serax.com> was registered on November 27, 1997.

The disputed domain name <seraxboutique.com> was registered on January 21, 2026, by Uuiroz Feffery and has been used to resolve to a website which is flagged by Google as malicious and on its face appears to be inactive. However, the evidence produced by the Complainant shows that the website is indeed an active commercial website that displays the Complainant's mark as well as images of the products available at the Complainant's brand portal.

The disputed domain name <seraxofficial.shop> was registered on May 19, 2026, by Elizabeth Brown and has been used to resolve to an active commercial website confusingly similar to the Complainant's brand portal, displaying the Complainant's mark and product images and purportedly offering for sale products identical to those available at the Complainant's brand portal.

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.

Notably, the Complainant contends that:

- the disputed domain names which comprise the SERAX mark with the addition of the terms "boutique" and "official" are confusingly similar to the SERAX mark;

- the Respondents have no rights or legitimate interests in respect of the disputed domain names since they are unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;
- given the uniqueness of the Complainant's mark which the disputed domain names fully incorporate and their use as mentioned above, it is likely that the Respondents were aware of the Complainant and its mark and have registered the disputed domain names to unduly benefit from the prestige of the Complainant and its trademark without authorization.

The Complainant requests that the disputed domain names be transferred from the Respondents to the Complainant.

B. Respondents

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

6. Discussion and Findings

6.1. Procedural Element - Consolidation: Multiple Domain Names and Respondents

The amended Complaint was filed in relation to two domain names registered by 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 Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on 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 to common control, the Panel notes that:

- both disputed domain names target the Complainant's SERAX mark;
- both disputed domain names follow the similar naming pattern (SERAX mark + the terms "boutique" and "official" which are commonly used in connection with the marketing and the sale of products); and
- both disputed domain names have been used to resolve to websites which display the Complainant's SERAX mark and images of the products available at the Complainant's brand portal.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair and 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.

6.2 Substantive Elements

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the domain names are 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 names, and
- (iii) the domain names have been registered and are 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 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 Complainant's SERAX mark is reproduced and is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The addition of the terms "boutique" and "official" to the mark in the disputed domain names does not prevent a finding of confusing similarity between the disputed domain names and the mark 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.

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 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 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 notes that it is evident that the Complainant has not authorized, licensed, or allowed the Respondent to use its SERAX mark in the disputed domain names or in any other way as well as that the Respondent has not been commonly known by the disputed domain names.

The disputed domain name <seraxboutique.com>, which as mentioned above on its face appears to resolve to an inactive webpage has been used to resolve to an active commercial website that displays the Complainant's mark as well as images of the products available at the Complainant's brand portal. The composition and use of the disputed domain name as mentioned above carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

The disputed domain name <seraxofficial.shop> has been used to resolve to an active commercial website confusingly similar to the Complainant's brand portal, displaying the Complainant's mark and product images and purportedly offering for sale products identical to those available at the Complainant's brand portal. In view of the Panel here the Respondent has effectively been impersonating the Complainant. Panels have held that the use of a domain name for illegal activity, here impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel also notes that despite the lack of authorization by, or relationship with the Complainant even if the products appearing on the Respondent's websites at the disputed domain names would exist and be genuine, the Respondent's websites would still not qualify as fair use. [WIPO Overview 3.1](#), section 2.8.1; *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names and that 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.

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

In the present case, the Panel notes that the Complainant's SERAX mark is inherently distinctive and that its registration predates the date of registration of the disputed domain names. Both websites at the disputed domain names featured the Complainant's mark and products imagery; thus in view of the Panel it is clear that the Respondent had actual knowledge of the Complainant and its mark and registered the disputed domain names to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark. Paragraph 4(b)(iv) of the Policy.

The Respondent's intent to target the Complainant and its mark can in particular be inferred from the contents of the Respondent's website at the disputed domain name <seraxofficial.shop> seeking to impersonate the Complainant by directing Internet traffic to its website in order to gain illegitimate profit through impersonation or false association. Visitors of the Respondent's website might reasonably believe that it has been connected to or approved by the Complainant as it appears to offer products under the Complainant's mark and imagery and gives impression that the website attached to the disputed domain name is official or at least authorized by the Complainant, while it is clearly not the case.

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 <seraxboutique.com> and <seraxofficial.shop> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: October 20, 2026