

ADMINISTRATIVE PANEL DECISION

Compagnie des Montres Longines, Francillon S.A. (Longines Watch Co. Francillon Ltd) v. zoer zoer
Case No. D2026-4026

1. The Parties

The Complainant is Compagnie des Montres Longines, Francillon S.A. (Longines Watch Co. Francillon Ltd), Switzerland, represented by Rentsch Partner Ltd., Switzerland.

The Respondent is zoer zoer, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <longineswatchco.com> is registered with TuringSign Inc. d/b/a Cosmotown (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 8, 2026. On September 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 10, 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, Cosmotown, Inc) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 11, 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 14, 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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 7, 2026.

The Center appointed Petra Pecar as the sole panelist in this matter on October 9, 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 Swiss manufacturer of watches and its components with headquarters in Switzerland, and a wholly owned subsidiary of The Swatch Group AG. The Complainant's business was founded in 1832, and the Complainant was entered in the commercial register as a company limited by shares in 1915.

The Complainant is the owner of numerous registrations, consisting of the LONGINES mark, including the following trademarks:

- United States Trademark Registration No. 65109 for figurative trademark, registered on September 10, 1907, in International Class 27;
- International Trademark Registration No. 252798 for word trademark LONGINES, registered on February 22, 1962, for goods in International Classes 1 to 34; and
- European Union Trademark Registration No. 000226233 for word trademark LONGINES, registered on October 2, 1998, for goods in International Classes 9 and 14.

The Complainant operates its official website at "www.longines.com", through which it offers its LONGINES products.

The disputed domain name was registered on March 27, 2026, and at the time of the Complaint filing, it resolved to an inactive webpage.

The Respondent is an individual located in United States.

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 reproduces its well-known LONGINES trademark in its entirety. The additional terms "watch" and "co" do not prevent a finding of confusing similarity. According to the Complainant, the term "watch" describes the Complainant's products, and the term "co" is a common abbreviation for "company", so that the added terms mirror the Complainant's company name, Longines Watch Co. Francillon Ltd.

The Complainant further contends that the Respondent is not commonly known by the disputed domain name and has not been authorized to use the LONGINES trademark.

According to the Complainant, the Respondent used the disputed domain name for an online store that reproduced the Complainant's product names, appearance and marketing layout, offered watches from the Complainant's collections at discount of 70%, and passed itself off as the Complainant. The Complainant also contends that the Respondent registered the disputed domain name with knowledge of the LONGINES trademark and used it to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's LONGINES trademark.

B. Respondent

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

6. Discussion and Findings

Even if the Respondent did not file a Response to the Complainant's contentions, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant. "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable", as indicated in paragraph 15(a) of the Rules.

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

- (i) the disputed 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 disputed domain name; and
- (iii) the disputed domain name has been registered and is being used by the Respondent 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 for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the LONGINES trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms "watch" and "co" 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 name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Furthermore, it is well accepted practice by UDRP panels that a generic Top-Level Domain ("gTLD"), such as ".com", is typically ignored when assessing whether a domain name is identical or confusingly similar to a trademark (see section 1.11 of the [WIPO Overview 3.1](#)). For that reason, the Panel accepts not to take into consideration the gTLD ".com" when assessing confusing similarity of the disputed domain name.

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

The Complainant has not licensed or otherwise authorized the Respondent to use the LONGINES trademark. The Respondent is not affiliated with the Complainant. The Registrar identified the Respondent as “zoer zoer”, a name that bears no resemblance to the disputed domain name, and there is no evidence in the record that the Respondent is commonly known by the disputed domain name or holds any trademark rights in LONGINES. [WIPO Overview 3.1](#), section 2.3.

The Respondent used the disputed domain name for a website “Longines® Watches Official International Website - LONGINES”, which displayed the Complainant’s LONGINES logo and offered watches under the names of the Complainant’s collections at discount of 70%, without any statement on the absence of a relationship with the Complainant. Such use does not constitute a bona fide offering of goods under paragraph 4(c)(i) of the Policy, as the website is falsely presented as the Complainant’s official website. [WIPO Overview 3.1](#), section 2.8.1.

Furthermore, Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation and passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

In the present case, the Panel notes that the LONGINES trademark has been registered 118 years before the registration of the disputed domain name. The website at the disputed domain name reproduced the Complainant’s LONGINES logo and products, which shows that the Respondent registered the disputed domain name with knowledge of the Complainant and its LONGINES trademark, and with the intention of targeting them.

The disputed domain name, consists of the LONGINES trademark with the terms “watch” which is descriptive for Complainant’s products and “co” as a common abbreviation for “company”, mimicking the English version of the Complainant’s company name. The disputed domain name resolved to a website

presented as the Complainant's official website, offering watches from the Complainant's collections at discounted prices. Through such use is intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's LONGINES trademark as to the source, sponsorship, affiliation, or endorsement of the website, within the meaning of paragraph 4(b)(iv) of the Policy.

Furthermore, Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation and passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

At the time of filing of the Complaint, the disputed domain name resolved to an inactive website. Panels have found that the non-use of a domain name, including error webpage, 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 distinctiveness of the Complainant's trademark, the composition of the disputed domain name, the Respondent's prior use of the disputed domain name for a website impersonating the Complainant, and the Respondent's failure to submit a response, and finds that in the circumstances of this case the subsequent passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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, the Panel orders that the disputed domain name <longineswatchco.com> be transferred to the Complainant.

/Petra Pecar/

Petra Pecar

Sole Panelist

Date: October 23, 2026