ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
HGD GROUP v. ren wei
Case No. D2026-4115

1. The Parties

The Complainant is HGD GROUP, France, represented by Atlan & Boksenbaum, France.

The Respondent is ren wei, China.

2. The Domain Name and Registrar

The disputed domain name <gerarddarelsacoutlet.shop> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 13, 2026. On September 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 15, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 19, 2026.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on October 27, 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, the HGD Group, which is based in France, is the registered owner of a number of Gerard Darel trademarks. These include GERARD DAREL (wordmark) International trademark Registration No. 482697, registered on February 8, 1984, (duly renewed) for goods and services in classes 3,14,18, and 25; and GERARD DAREL (wordmark), French trademark Registration No. 1698728 registered on March 13, 1992, also for goods and services in classes 3,14,18, and 25.

DS FASHION GROUP, a company affiliated with the HGD GROUP, is the licensee of the GERARD DAREL registered trademarks and creates and manufactures ready-to-wear and leather goods under the GERARD DAREL marks. DS FASHION GROUP also markets such GERARD DAREL goods, notably via the website "www.gerarddarel.com/fr-fr" operated by ON LINE SAS, and through 175 points of sale in France.

The disputed domain name was registered on August 16, 2026, and whereas at the time of filing the Complaint it resolved to a passing off website, at the time of this Decision it resolves to a website with a "This store is under construction" notice.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a cancellation of the disputed domain name.

Notably, the Complainant asserts that the radical of the disputed domain name identically reproduces the radical of the <gerarddarel.com> domain name operated by ON LINE SAS. As a result, the disputed domain name is confusingly similar to the Complainant's GERARD DAREL trademarks and domain name and is thus likely to generate a risk of confusion with the GERARD DAREL trademarks and the <gerarddarel.com> domain name.

Further, the Complainant says that the Respondent uses the GERARD DAREL trademark in the radical of the disputed domain name and on the website at the disputed domain name. The Complainant says that at the website to which the disputed domain name resolved, the Respondent purportedly offered products for sale under the GERARD DAREL trademarks at deceptive prices.

In the result, the Complainant maintains that the Respondent is making a non-legitimate and unfair use of the disputed domain name with intent for commercial gain misleadingly to divert consumers, or to tarnish the GERARD DAREL trademarks.

Finally, the Complainant contends that the disputed domain name was registered primarily for the purpose of disrupting the business of the HGD GROUP. The Complainant contends that by using the disputed domain name the Respondent intentionally attempted to attract Internet users for commercial gain to the Respondent's website, by creating a likelihood of confusion with the Complainant's GERARD DAREL trademarks, as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

B. Respondent

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

6. Discussion and Findings

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 or service mark for the purposes of the Policy, that being the GERARD DAREL registered trademarks.

The entirety of the mark is reproduced within the disputed domain name and is recognizable within it. Although the addition of other terms here, "sac" and "outlet" 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.

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 that 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.

Panels have held that the use of a domain name for illegitimate activity, here claimed a passing off site where GERARD DAREL branded goods are purportedly offered for sale, 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 Respondent has registered the disputed domain name that includes a distinctive trademark in relation to which it has demonstrated no rights. The Respondent is not known as Gerard Darel or by the disputed domain name. It has purportedly offered GERARD DAREL branded goods on the website to which the disputed domain name resolved, according to the Complainant at deceptively low prices, without any approval and without in any way indicating that the said website has no legitimate connection with or approval from the Complainant or the contractual licensee of the GERARD DAREL trademarks. The composition of the disputed domain name establishes that the Respondent is more likely than not to have been aware of the exclusive rights of the Complainant in the GERARD DAREL registered marks at the time of registration. The terms “sac” (in English “bag”) and “outlet” in any case evoke the goods and activities of the Complainant.

That the Respondent was well aware of the Complainant’s rights and commercial activities in relation to the GERARD DAREL brand is further supported by the nature of the website to which the disputed domain name previously resolved. GERARD DAREL marked goods were purportedly offered for sale, and the GERARD DAREL trademark was copied, whereas the website in fact had no legitimate connection with nor approval from the Complainant. That fact was nowhere made clear to Internet users, who would likely be deceived into concluding that the said website was established by or with the authorization of the Complainant.

Panels have held that the use of a domain name for a passing off site which is unauthorized but designed to replicate the online presence of the Complainant, amounts to bad faith use. 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 <gerarddarelsacoutlet.shop> be cancelled.

/William A. Van Caenegem/
William A. Van Caenegem
Sole Panelist
Date: November 10, 2026