

ADMINISTRATIVE PANEL DECISION

MKS PAMP SA v. Ali Safar

Case No. DAE2025-0017

1. The Parties

The Complainant is MKS PAMP SA, Switzerland, represented by IP Twins, France.

The Respondent is Ali Safar, United Arab Emirates.

2. The Domain Name and Registrar

The disputed domain name <pamp.ae> is registered with AE Domain Administration (.aeDA).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 12, 2025. On November 13, 2025, the Center transmitted by email to .aeDA a request for registrant verification in connection with the disputed domain name. On November 14, 2025, .aeDA 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 UAE Domain Name Dispute Resolution Policy for – UAE DRP approved by .aeDA (the “Policy”), the Rules for UAE Domain Name Dispute Resolution Policy – UAE DRP (the “Rules”), and the Supplemental Rules for UAE Domain Name Dispute Resolution Policy – UAE DRP (the “Supplemental Rules”).



In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on November 25, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was December 15, 2025. The Respondent submitted a Response on December 14, 2025. On December 16, 2025, the Complainant submitted a supplemental filing. On December 17, 2025, the Respondent submitted a supplemental filing.

The Center appointed Assen Alexiev as the sole panelist in this matter on December 19, 2025. 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 part of the MKS PAMP GROUP, an industrial and trading services group created in 1979 and specializing in the precious metals business, including sourcing, supplying, refining and trading with precious metals products. The group operates four e-commerce platforms and 15 offices with 1450 employees around the world, serving more than 1500 business-to-business clients and more than 100 million clients through digital gold. The Complainant uses in its business the brand PAMP, an abbreviation for “Produits Artistiques Métaux Précieux” (in English, “Artistic Products Precious Metals”). It operates its official website at the domain name <pamp.com>, registered on October 21, 1996, and <pamp.net>, registered on July 19, 1999, both of which resolve to the same website.

The Complainant is the owner of a number of trademark registrations for PAMP (the “PAMP trademark”), including the following representative registrations:

- the International trademark  (combined) with registration No. 452117, registered on April 28, 1980, for goods in International Class 14;
- the International trademark PAMP (word) with registration No. 510125, registered on February 16, 1987, for goods in International Class 14;
- the Swiss trademark PAMP (word) with registration No. 351371, registered on February 16, 1987, for goods in International Class 14;
- the United Arab Emirates trademark PAMP (word) with registration No. 021097, registered on May 30, 1999, for goods in International Class 14; and
- the International trademark  (combined) with registration No. 1600326, registered on April 15, 2021, for goods in International Class 14 in multiple jurisdictions, including the United Arab Emirates.

The disputed domain name was registered on August 3, 2025. It currently resolves to a static webpage that displays “PAMP” and the text: “Maintenance mode is on | Site will be available soon. Thank you for your patience!” At the time of filing of the Complaint, the disputed domain name resolved to a website that displayed a “PAMP Bullion” logo with an image of the Complainant’s Lady Fortuna gold bar immediately below it, and offered for sale various gold products, including the Complainant’s products, such as “10 Gm PAMP Suisse Gold bar 999.9 Purity”, and similar products by other suppliers. The website contained the following descriptions of its provider: “PAMP specializes in selling gold bars, gold coins, silver jewelry, and gold-plated jewelry in Dubai – United Arab Emirates. We also offer cash for gold services at competitive prices,” and “At PAMP, we are passionate about bringing the timeless beauty and enduring value of gold to our customers. Based in Dubai, one of the world’s leading gold trading hubs, we offer a carefully curated selection of gold bars, coins, and fine jewellery.” The website did not mention the Complainant in its list of suppliers and did not include a disclaimer for the absence of relationship with the Complainant.

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.

The Complainant states that the disputed domain name is identical to its PAMP trademark, because it reproduces the trademark exactly. According to the Complainant, this identity can confuse Internet users that the website at the disputed domain name is operated by the Complainant.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it has never been authorized by the Complainant to use the PAMP trademark or to register the disputed domain name. The Complainant adds that the Respondent is not a partner, distributor or licensee of the Complainant, and there is no contractual or commercial relationship between them. The Complainant notes that the Respondent is not commonly known by the disputed domain name and has no relevant trademark rights. According to the Complainant, the Respondent has not used the disputed domain name in relation to a bona fide offering of goods or services, but has made it to resolve to a fake shop that mimics the original website of the Complainant, reproduces the Complainant's logo and global branding of the Complainant without authorization, and pretends to sell the Complainant's products. According to the Complainant, this attempt to mislead people and to impersonate the Complainant is not legitimate, and shows that the Respondent tries to benefit from the Complainant's fame and attract clients.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that its PAMP trademark was first registered in 1980 and is well-known and intensively used worldwide, so it is very likely that the Respondent knew this trademark at the time of registration of the disputed domain name, and chose it to benefit from the Complainant's reputation by misleading Internet users that there is an affiliation with the Complainant's trademark.

The Complainant asserts that the Respondent is using the disputed domain name in bad faith. It notes that, since its registration, the disputed domain name has been used to resolve to a fake web shop that mimics the original website of the Complainant and reproduces the logo and the global branding of the Complainant without authorization, and pretends to sell the Complainant's products. According to the Complainant, the Respondent cannot legitimately use the disputed domain name, and any such use would necessarily represent an unlawful exploitation of the notoriety of the PAMP trademark.

The Complainant submits that the term "PAMP" holds no meaning or signification related to gold and other precious metals, but was arbitrarily chosen by the Complainant to designate its products and services, and that the PAMP trademark is highly distinctive and its association with the sector of precious metals and gold is only the consequence of the Complainant's activities and success.

The Complainant points out that the website at the disputed domain name reproduces the PAMP trademark in the Respondent's logo and displays official photos of the Complainant's products taken from the Complainant's website at <mkspamp.com>. The Complainant points out that the website at the disputed domain name includes the statements: "PAMP specializes in selling gold bars, gold coins, silver jewelry, and gold-plated jewelry in Dubai –UAE", and "At PAMP, we are passionate about bringing the timeless beauty and enduring value of gold to our customers" According to the Complainant, this shows that the Respondent presents himself as PAMP.

The Complainant also notes that the Respondent claims that the Complainant is only his supplier, but does not mention PAMP in the list of suppliers on his website; that the Respondent invented non-existent meanings of the term "PAMP" and non-existent relations of the terms "Pampilos" and "Pamphyllia" with precious metals; and that the Respondent did not provide any proof of a registered entity, society company, association or organization to operate his business.

B. Respondent

The Respondent maintains that the disputed domain name was registered and used legitimately, without any intention to infringe, imitate, or take advantage of any third-party trademark. It states that the disputed domain name was registered for a generic online gold-selling business in the United Arab Emirates. The Respondent notes that in Dubai and the wider United Arab Emirates gold market, many retailers sell a variety of bullion brands such as Emirates Gold, Royal Mint, Al Etihad, PAMP Suisse and other common bullion suppliers. The Respondent explains that his business model is the retail e-commerce of physical gold bars from multiple brands, like many other legitimate United Arab Emirates websites and marketplaces, and states that the website at the disputed domain name was intended to operate exactly like them, offering various gold bar brands, one of which happens to be PAMP Suisse, a globally recognized bullion producer.

The Respondent states that it had no intention to represent or impersonate PAMP Suisse or to create any confusion about the ownership of the brand. According to the Respondent, the term “Pamp” is not exclusively identifiable with the PAMP trademark, because it has multiple independent meanings, unrelated to this trademark, including in Indian/Sanskrit contexts, where “Pamp” refers to a goddess of purity and clear water; the term “Pampilos”, which is of Greek origin and means “precious, valuable”, a meaningful reference for a gold-related business; and the term “Pamphylia”, which is an ancient region known for metalwork and mineral trade. According to the Respondent, the use of the term “pamp” in the United Arab Emirates context is therefore not inherently tied to the Complainant’s brand. The Respondent alleges that the disputed domain name was selected based on its broader linguistic and symbolic meanings, not as an attempt to misuse a trademark, and adds that the Complainant does not own exclusive rights over every global use of the term, particularly in territories where the term holds different cultural or generic meanings.

The Respondent maintains that it has legitimate rights when using the disputed domain name for bona-fide business purposes, without misleading customers, and without pretending to be the trademark owner. The Respondent notes that it sells a variety of bullion products, and not only PAMP branded bars, and that the disputed domain name was part of a general gold-related branding concept, and not an attempt to act as an official representative of the Complainant. The Respondent submits that his logo is entirely different in design, structure, and visual identity from the Complainant’s logo, and claims that his website has never stated or implied that the Respondent is the Complainant, that the Respondent represent the Complainant; or that the Respondent is affiliated with the Complainant. The Respondent notes that, just like hundreds of United Arab Emirates gold shops legally sell PAMP products without any affiliation, its intended use was to sell multiple brands, simply including PAMP alongside others. The Respondent adds that this is standard fair commercial practice in United Arab Emirates bullion retail.

The Respondent states that there is no evidence that the disputed domain name was registered to sell it to the Complainant, to block its business, to disrupt their operations or to impersonate it.

The Respondent submits that the website at the disputed domain name never used or displayed the Complainant’s logo, copy or imitate any trade dress, typography, color schemes, packaging, or imagery, or represent itself as an official website of the Complainant or of its affiliate. The Respondent maintains that all branding and design elements were independently created and are clearly distinct and there was no intent to mislead users or create confusion regarding affiliation.

The Respondent notes that it has acted in good faith and remains willing to implement reasonable clarifying measures if required, including adding a visible disclaimer and adjusting content or presentation to avoid any potential confusion. The Respondent states that it has never claimed ownership of or exclusive rights to the term “PAMP” and has never represented the disputed domain name as being officially connected with any other party.

The Respondent maintains that the website at the disputed domain name was recently launched and is still under development, that the texts, images, and product listings currently visible on the website were temporarily uploaded by the website development team for testing and technical purposes only. According to the Respondent, the website at the disputed domain name has not yet been finalized, and he is actively modifying and updating the content, that the prices, descriptions, and product visuals are not final, and many products displayed are test placeholders clearly labeled as “test”, and are not actual commercial offerings. According to the Respondent, such preliminary test content cannot reasonably be interpreted as evidence of bad faith, as trademark infringement or an intent to mislead consumers.

The Respondent states that there is no evidence that it has engaged in phishing, fraud, counterfeit sales, or deceptive conduct.

6. Discussion and Findings

Paragraph 6(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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 or is being used in bad faith.

Given the similarities between the Policy and Rules and the Uniform Dispute Resolution Policy (“UDRP”), the Panel considers some UDRP precedents as well as the applicable sections of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), relevant to the present proceeding and will refer to them where appropriate.

6.1. Procedural issue – Supplemental submissions of the Parties

Both Parties in this proceeding have submitted supplemental submissions.

Having reviewed them together with the Complaint and the Response, the Panel finds that the supplemental submissions of the Parties address issues that they could not have contemplated and addressed in the Complaint and in the Response, which makes them relevant and justifies their acceptance in the proceeding.

Therefore, the Panel decides to accept and take into account the Parties’ supplemental submissions.

6.2. Substantive issues

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 3.0](#), section 1.7.

In the present case, the Complainant has submitted evidence and has proven its ownership of various registrations of the PAMP trademark, which was first registered 45 years before the registration of the disputed domain name.

Disregarding the “.ae” country code Top-Level-Domain (“ccTLD”) as a functional aspect of the domain name system, the disputed domain name incorporates the Complainant’s PAMP trademark without any other elements. Accordingly, the disputed domain name is identical to the PAMP trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel therefore finds that the first element of the Policy has been established

B. Rights or Legitimate Interests

Fundamentally, a respondent’s use of a domain name will not be considered “fair” if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant’s mark is often central to this inquiry. Generally speaking, UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

The Panel finds that this applies to the present case. The disputed domain name is identical to the PAMP trademark.

The Respondent maintains that the term “Pamp” is not exclusively identifiable with the Complainant’s PAMP trademark, because it allegedly has multiple independent meanings, unrelated to this trademark. The Respondent maintains that the disputed domain name was selected based on its broader linguistic and symbolic meanings, not as an attempt to misuse the Complainant’s trademark.

The Respondent has however not provided any evidence of the alleged other meanings of the term “Pamp”, and publicly available online sources discuss the names “Pampfilo”, “Pampylos” and “Pamphylia”, as having a common origin in Ancient Greek and having the meaning of “all-loving” or “of all tribes”. This does not confirm the other meanings alleged by the Respondent. At the same time, the Respondent’s website has displayed at the top a logo with the words “PAMP Bullion PAMP.AE” and a photo of the Complainant’s Lady Fortuna gold bar immediately below it, and offered for sale various gold products by the Complainant and similar products by other suppliers. The website also referred to its provider as “PAMP” without including a disclaimer for the absence of relationship with the Complainant. The content of the Respondent’s website is strongly focused on the Complainant’s trademark and products, rather than on any other meaning of the term “Pamp”, allegedly unrelated to the Complainant.

The Respondent maintains that the website at the disputed domain name was recently launched and is still under development, and that all its content was temporarily uploaded by the website development team for testing and technical purposes only. This allegation is not convincing, as the Respondent’s previous website appears to have been an active commercial website offering various goods for sale with indicated prices for them, without displaying any warnings that the website is inactive and has been uploaded only for testing purposes, and the website was deactivated after receiving the Complaint. It is unclear why the Respondent would do so if he believed in the statements made in the Response that he was acting in good faith.

Considering the above, the Panel is not convinced by the Respondent’s allegations and accepts as more likely than not that the Respondent did not choose the disputed domain name because of any alleged “broader linguistic and symbolic meanings”, but because it is identical to the Complainant’s trademark and the Respondent intended to use it for the same precious metals business as the Complainant’s.

As discussed in section 2.8 of the [WIPO Overview 3.0](#), Panels have recognized that resellers, distributors, or service providers using a domain name containing the complainant’s trademark to undertake sales or repairs related to the complainant’s goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. Outlined in the “Oki Data test”, the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and
- (iv) the respondent must not try to “corner the market” in domain names that reflect the trademark.

Cases applying the Oki Data test usually involve a domain name comprising a trademark plus a descriptive term (e.g., “parts”, “repairs”, or “location”), whether at the second-level or the top-level. At the same time, the risk of misrepresentation has led panels to find that a respondent lacks rights or legitimate interests in cases involving a domain name identical to the complainant’s trademark.

As noted above, the disputed domain name is identical to the Complainant’s trademark, and the Respondent’s allegations that it has other independent meanings are not supported by evidence. The Oki Data test is therefore not applicable to this dispute. Even if this important element is put aside and the test is applied, the Respondent’s conduct still does not comply with two of its cumulative requirements. As the evidence shows and the Respondent explicitly states, his website has been used to sell not only the Complainant’s products, but also goods from its competitors. This is contrary to the second requirement of

the Oki Data test. In addition, the Respondent's website does not disclose the absence of relationship between the Complainant and the Respondent, but impersonates the Complainant and its trademark. This is contrary to the third requirement of the Oki Data test.

The above supports a conclusion that the Respondent has targeted the Complainant's PAMP trademark with the registration and use of the disputed domain name in an attempt to mislead and attract visitors and sell them not only the Complainant's goods but also competing goods for commercial gain. Such conduct does not support a finding of rights or legitimate interests of the Respondent in the disputed domain name.

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

C. Registered or Being Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been either registered or used in bad faith by the Respondent. In contrast to the UDRP, it is necessary for the Complainant to establish only one or the other.

Generally speaking, a finding that a domain name has been registered or is being used in bad faith requires an inference to be drawn that the respondent in question has registered or is using the disputed domain name to take advantage of its significance as a trademark owned by the complainant.

The Panel has no doubt that is the case here. The disputed domain name is identical to the Complainant's trademark and carries a high risk of implied affiliation with the Complainant. It has been used to sell the Complainant's goods alongside goods of its competitors, using language that implies that the provider of the website is the Complainant, without including a disclaimer for the absence of a relationship with it.

The Respondent claims that the standard commercial practice in the United Arab Emirates is that traders offer goods of various producers, but provides no evidence of any such traders doing so not under their own brand but under the brand of one of the producers whose goods they sell. In any case, it cannot be considered as a good faith conduct to exploit without authorization a third party's trademark for selling goods of its competitors, and this is even more so given that the Complainant's PAMP trademark is validly registered in the United Arab Emirates for the goods offered by the Respondent on his website.

In view of all the above, the Panel finds that by registering and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to his website by creating a likelihood of confusion with the Complainant's PAMP trademark as to the source, affiliation, or endorsement of the Respondent's website or of the products offered on the Respondent's website. See Paragraph 6(b)(iv) of the Policy and section 3.1.4 of the [WIPO Overview 3.0](#).

The Panel therefore finds that the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 6(i) of the Policy and 15 of the Rules, the Panel orders that the domain name <pamp.ae> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Panelist

Date: December 29, 2025