ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Tissot SA v. E-Marketplace Pty Ltd
Case No. DAU2025-0027

1. The Parties

The Complainant is Tissot SA, Switzerland, represented by The Swatch Group AG, Switzerland.

The Respondent is E-Marketplace Pty Ltd, Australia

2. The Domain Name and Registrar

The disputed domain name <tissotwatches.com.au> is registered with Domain Directors Pty Ltd.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 17, 2025. On July 23, 2025, the Center transmitted by email to Domain Directors Pty Ltd. a request for registrar verification in connection with the disputed domain name. On August 27, 2025, Domain Directors Pty Ltd. 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 .au Dispute Resolution Policy (the "Policy" or ".auDRP"), the Rules for .au Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (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 September 16, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was October 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 8, 2025.

The Center appointed Alistair Payne as the sole panelist in this matter on October 14, 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.

On October 17, 2025, the Panel issued a procedural order as follows:

> The Panel notes the Respondent's email communication to the Center, dated October 14, 2025, in which the Respondent states "I do not wish to contest this. Transfer the domain."
>
> In this regard, the Panel notes that a proceeding under the .au Dispute Resolution Policy (auDRP) may be suspended to implement a settlement agreement between the Parties. The Panel further notes that, once a proceeding under the auDRP is suspended, the registrar may unlock the disputed domain name, provided the unlock is to enable the implementation of an agreement between the parties to transfer (or, if agreed, cancel) the domain name from the Respondent to the Complainant. Therefore, during a suspended proceeding, the domain name may be transferred to the Complainant, but may not be transferred to a third party.
>
> The Panel therefore orders that, if the Parties wish to explore settlement options, the Complainant submits a request for suspension by October 22, 2025.

The Center received no request for suspension from the Complainant.

4. Factual Background

The Complainant in this administrative proceeding is Tissot SA, a wholly owned subsidiary company of The Swatch Group Ltd. The Complainant was founded in 1853 in Switzerland and has grown through more than 160 years of existence to the largest traditional Swiss brand watch based on volume and among the world's most well-known watch brands. The Complainant's website is used to promote the brand and its products and services on the Internet. The Complainant's TISSOT trade mark is present in more than 160 countries worldwide through more than 14,000 points of sale and nearly 200 mono-brand stores and in 126 boutiques and stores in Australia alone. The Complainant's website at "www.tissotwatches.com" is used to promote the brand and its products and services on the Internet. The Complainant owns numerous trade mark registrations worldwide for, or incorporating, its TISSOT mark including Australian logo mark 196827 registered on August 20, 1965, and International word mark registration 1256550 registered on January 29, 2015.

The disputed domain name was registered on July 3, 2025, and resolves to a Registrar parked page.

5. Parties' Contentions

A. Complainant

The Complainant submits that the disputed domain name is confusingly similar to its registered trade marks. The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the disputed domain name. According to the Complainant, the Respondent has not been authorized to use its TISSOT marks and has not been commonly known by the disputed domain name. It submits that the Respondent has not made a legitimate or bona fide use of the disputed domain name but has rather sought to coerce the Complainant into acquiring the disputed domain name, most likely in exchange for a monetary consideration in excess of the Respondent's out-of-pocket registration costs. Finally, the Complainant submits that the disputed domain name was registered and is and has been using the disputed domain name in bad faith.

B. Respondent

The Respondent's email communication to the Center, dated October 14, 2025 stated "I do not wish to contest this. Transfer the domain."[1]

---

[1] The Panel notes the communication was sent by the Registrant Contact, Thomas Alistair.

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that, in order to obtain the transfer of the disputed domain name the Complainant must prove:

(i) the disputed domain name registered by the Respondent is identical or confusingly similar to a name, trade mark or service mark in which the Complainant has rights; and
(ii) the Respondent has no rights or legitimate interests with respect to the disputed domain name; and
(iii) the disputed domain name has been registered or has subsequently been used in bad faith.

However, the Panel notes that consent to transfer by the Respondent under the very similar UDRP can provide a basis for an order for transfer without a need for consideration of the UDRP grounds. Taking into account the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 4.10, the Panel finds that when the Complainant seeks transfer of the disputed domain name, and the Respondent agrees to transfer, the Panel may equally proceed to make an order for transfer under the Policy.

In this case, the Center received only one communication from the Respondent which stated that it would not contest the Complaint and that it consented to the transfer the disputed domain name to the Complainant. The Panel finds that this communication clearly demonstrates the Respondent's consent to transfer the disputed domain name, and it accordingly orders the transfer of the disputed domain name.

7. Decision

For all the foregoing reasons, in accordance with Paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the domain name <tissotwatches.com.au> be transferred to the Complainant.

/Alistair Payne/
Alistair Payne
Sole Panelist
Date: November 2, 2025