

ARBITRATION AND MEDIATION CENTER

# ADMINISTRATIVE PANEL DECISION

Panavision International, L.P., Panavision Inc. v. Desche draville, UDM Media Inc

Case No. DCC2025-0022

#### 1. The Parties

Complainants are Panavision International, L.P., United States of America ("United States"), and Panavision Inc., United States (collectively, "Complainant"), represented by Bryan Cave Leighton Paisner LLP, United States.

Respondent is Desche draville, UDM Media Inc, United States.

# 2. The Domain Name and Registrar

The disputed domain name <panavision.cc> is registered with Gname.com Pte. Ltd. (the "Registrar").

# 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 28, 2025. On October 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 30, 2025, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on October 31, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on November 5, 2025.

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 November 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 27, 2025. Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 28, 2025.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on December 3, 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

Complainant is a multinational company based in the United States. For decades prior to the registration of the disputed domain name, Complainant has offered cinematographic products and services under the mark PANAVISION. Complainant is the owner of numerous registrations for its PANAVISION mark globally. These include, among others, United States Registration Nos. 627,362 (registered May 22, 1956); 834,705 (registered September 5, 1967), and 845,014 (registered February 27, 1968).

The disputed domain name was registered on April 23, 2025. Respondent has used the URL associated with the disputed domain name to direct users to a website that masquerades as an official website of Complainant "www.panavision.com", including use of Complainant's PANAVISION mark, and inviting web users to share sensitive personal and financial information with Respondent online.

#### 5. Parties' Contentions

#### A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns rights to the PANAVISION mark which is "extremely valuable and famous throughout the world" having been used "in many of the most successful and highly acclaimed films of all time." Complainant contends that it owns the registrations for various domain names that contain its PANAVISION mark, including cpanavision.com>, which Complainant uses to connect with prospective consumers online. Complainant further contends that prior UDRP panels have recognized its rights, including against the same Respondent, who also registered other domain names incorporating Complainant's PANAVISION mark. See Panavision International, L.P., Panavision Inc. v. Desche Draville, UDM Media Inc, Tin Tin, LKSoft Solutions (M) Sdn Bhd, Jon Som, Tin Tin, WIPO Case No. <a href="D2025-2450">D2025-2450</a>.

Complainant contends that Respondent has incorporated in full Complainant's PANAVISION mark into the disputed domain name, with only the country-code Top-level domain (ccTLD) ".cc", which does not avoid confusion. Complainant asserts that Respondent lacks rights or legitimate interest in the disputed domain name and rather has registered and is using it as a "spoofed" site.

### B. Respondent

Respondent did not reply to 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 Selected UDRP Questions, Third Edition, ("WIPO Overview 3.0"), section 1.7.

Complainant has shown rights in respect of a trademark or service mark, PANAVISION, for the purposes of the Policy. <u>WIPO Overview 3.0</u>, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. The Panel therefore finds that the disputed domain name is identical to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

# **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 3.0, section 2.1.

Respondent has no affiliation with Complainant, nor any license to use Complainant's marks. Complainant has provided evidence that the disputed domain name is being used to direct users to an unauthorized website that mimics an official website of Complainant. Panels have held that the use of a domain name for illegal activity, including claimed impersonation, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.0, section 2.13.1.

The Panel finds that Complainant has provided sufficient evidence of Respondent's lack of "rights or legitimate interests" in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

#### D. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. As noted in Section 4 of this Panel's decision, the record includes evidence that the URL associated with the disputed domain name has been used to direct users to an unauthorized website that mimics an official website of Complainant, and inviting web users to click on link to share sensitive personal and financial information with Respondent online. Hence, Respondent is trading on the goodwill of Complainant's trademarks to attract Internet users, presumably for Respondent's own commercial gain.

Therefore, the Panel finds sufficient evidence that Respondent registered and used the disputed domain name in bad faith for purposes of paragraph (4)(a)(iii) 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 panavision.cc> be transferred to Complainant.

/Lorelei Ritchie/ Lorelei Ritchie Sole Panelist

Date: December 17, 2025