

ADMINISTRATIVE PANEL DECISION

Antonio Puig S.A. v. Alysha Auer, Alysha Auer
Case No. DCO2025-0082

1. The Parties

Complainant is Antonio Puig S.A., Spain, represented by Zacco Sweden AB, Sweden.

Respondent is Alysha Auer, Alysha Auer, United States of America.

2. The Domain Name and Registrar

The disputed domain name is <puig-es.co> which is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 23, 2025. On September 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 24, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to Complainant on September 25, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on September 26, 2025.

The Center verified that the Complaint together with the amendment to 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 Respondent of the Complaint, and the proceedings commenced on September 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 19, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on October 22, 2025.

The Center appointed Gerardo Saavedra as the sole panelist in this matter on October 30, 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 engaged in the fragrance and fashion, makeup and skincare business categories.

Complainant has rights over the PUIG mark for which it holds, among others, Spain registration No. 0130540, registered on March 1, 1944, in classes 3 and 4; International registration No. 201792, registered on July 12, 1957, in class 3, 4, 5, and 16; and Colombia registration No. 70584, registered on January 15, 1975, in class 3.

The disputed domain name was registered on July 17, 2025. Before the Complaint was filed, the disputed domain name was used as an email address to send fraudulent emails, and it did not resolve to an active website.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy and requests that the disputed domain name be transferred to Complainant. Complainant's assertions may be summarized as follows.

Complainant was founded in 1914 and is a well-known global player within the clothing, fashion, fragrances and skincare sector, with a broad portfolio of brands such as Carolina Herrera, Christian Louboutin, Jean Paul Gaultier, Nina Ricci, and Paco Rabanne, among others. The Puig Group has been family-owned for three generations and currently employs more than 12,100 people across the globe, selling its products in more than 150 countries.

Complainant owns the PUIG mark, which is registered in a significant number of jurisdictions worldwide. Complainant also owns several domain names that incorporate the PUIG mark, such as <puig.com> and <puig.es>.

The disputed domain name must be considered confusingly similar to Complainant's PUIG mark. The disputed domain name includes the PUIG mark; the addition of the country-designation "es" does not prevent a finding of confusing similarity.

Respondent has no rights or legitimate interests in the disputed domain name. No license or authorization of any kind has been given by Complainant to Respondent to register or use PUIG as a domain name or otherwise. Neither is Respondent an authorized representative of Complainant's products or services and has never had a business relationship with Complainant. There is a considerable risk that the public will perceive the disputed domain name either as a domain name owned by Complainant or that there is a relationship with Complainant.

Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. Respondent has used the disputed domain name to send fraudulent e-mails and invoices to third parties in the name of Complainant; in the e-mails, Respondent is using Complainant's mark, logotype, business address, and email and domain name addresses.¹ Respondent is actively attempting to create the false impression that Respondent is an employee of Complainant and that the disputed domain name is operated by Complainant, all for its own financial gain.

The disputed domain name must be considered to have been registered and used in bad faith. Given the aforementioned use of the disputed domain name, it is obvious that Respondent was fully aware of Complainant at the time of registration, and that it was Complainant's well-known business, company name, and trademark, that motivated Respondent to register and use the disputed domain name.

¹Annex 6 of the Complaint contains a copy of such email messages, sent as of July 18, 2025.

Respondent's purpose with the disputed domain name is to intentionally create the false impression that Respondent is an employee of Complainant and that the disputed domain name is operated by Complainant, for fraudulent purposes and Respondent's own financial gain. Registration and use of a domain name for such purposes can by default never amount to legitimate use and is by nature in bad faith, and Respondent's registration of the disputed domain name constitutes a clear example of cybersquatting.

On September 10, 2025, Complainant issued a cease and desist letter to Respondent; at the time of filing the Complaint, Complainant has received no response. Failure of a respondent to respond to a cease and desist letter, or a similar attempt of contact, has been considered relevant in a finding of bad faith in several UDRP decisions.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to "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".

The lack of response from Respondent does not automatically result in a favorable decision for Complainant (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3). The burden for Complainant, under paragraph 4(a) of the Policy, is to show: (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; (ii) that 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 in bad faith.

A. Identical or Confusingly Similar

The Panel finds Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy ([WIPO Overview 3.0](#), section 1.2.1).

The entirety of the PUIG mark is reproduced within the disputed domain name, albeit followed by the characters "-es". The Panel finds the mark is recognizable within the disputed domain name and that the addition of said characters does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy ([WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.11.1).

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

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).

Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in the disputed domain name. There is no evidence in the case file of any of those, or of any other circumstances giving rise to a possible right to or legitimate interest in the disputed domain name by Respondent, but rather the opposite may be validly inferred.

The Panel finds that the nature of the disputed domain name, reflecting Complainant's mark in its entirety (though with the addition of "-es"), carries a risk of implied affiliation as it may mistakenly be seen as suggesting some connection with Complainant and its PUIG mark ([WIPO Overview 3.0](#), section 2.5.1).

Further, the evidence in the file shows that the disputed domain name was used as an email address for sending phishing email communications, conveying the impression that the sender is associated with Complainant; that is, the disputed domain name was used to impersonate Complainant. Such use demonstrates neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name ([WIPO Overview 3.0](#), section 2.13.1).²

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith ([WIPO Overview 3.0](#), section 3.2.1).

Having reviewed the case file, the Panel finds that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The evidence in the case file indicates that Respondent targeted Complainant with the intention of passing off as a Complainant's employee in order to deceive a customer through phishing emails. The fact that the disputed domain name incorporates the entirety of, and is confusingly similar to, Complainant's PUIG mark, coupled with the email communications sent to a Complainant's customer from an email address linked to the disputed domain name and purporting to be an officer of Complainant, lead to the conclusion that Respondent registered and used the disputed domain name in bad faith ([WIPO Overview 3.0](#), section 3.4³).

Based on the available record, the Panel finds that 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 <puig-es.co> be transferred to Complainant.

/Gerardo Saavedra/

Gerardo Saavedra

Sole Panelist

Date: November 13, 2025

²See *Syngenta Participations AG v. Guillaume Texier, Gobain Ltd*, WIPO Case No. [D2017-1147](#): "A registrant cannot acquire rights or legitimate interests by the use of a domain name as an email address from which to send phishing emails". See also *Accenture Global Services Limited v. one devs*, WIPO Case No. [D2024-1760](#).

³ See *BHP Billiton Innovation Pty Ltd v. Domains By Proxy LLC / Douglass Johnson*, WIPO Case No. [D2016-0364](#): "the use of an email address associated with the disputed domain name, to send a phishing email for the purposes of dishonest activity is in itself evidence that the disputed domain name was registered and is being used in bad faith".