ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Archer and Olive, LLC v. Pascal Gualandris, Arch
Case No. DCO2025-0100

1. The Parties

The Complainant is Archer and Olive, LLC, United States of America (the "US"), represented by Melissa H. Gray PLLC, d/b/a The Law Spot, US.

The Respondent is Pascal Gualandris, Arch, France.

2. The Domain Name and Registrar

The disputed domain name <archerandolive.co> (the "Disputed Domain Name") is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 12, 2025. On December 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 15, 2025, 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 December 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 14, 2026.

The Center appointed Monica Novac as the sole panelist in this matter on January 21, 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 is a US company established in 2015. The Complainant offers journaling products, including notebooks, journals, pens, tape, stickers, and other accessories.

The Complainant owns the US Trademark Registration No. 6042350 ARCHER & OLIVE (word), registered on April 28, 2020, for goods in class 16. The Complainant has been using the ARCHER & OLIVE trademark since 2015 in connection with goods such as notebooks, sketchbooks, stickers, blank journals, blank paper notebooks, daily planners, and paper notebooks.

The Complainant also owns the domain name <archerandolive.com>, registered on August 21, 2012, which is used in connection with the Complainant's website.

The Respondent is Pascal Gualandris, Arch, reportedly located in France. The Respondent registered the Disputed Domain Name on November 13, 2025. As of the date of both filing the Complaint and this Decision, when accessed by the Panel, the Disputed Domain Name resolves to a webpage which purports to offer products which are identical to, or which compete with those offered by the Complainant under its ARCHER & OLIVE trademark. Moreover, the webpage at the Disputed Domain Name reproduces the Complainant's trademark and logo, as well as copyright-protected images of the Complainant's products from its own website.

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.

Notably, the Complainant contends that:

- the Disputed Domain Name is confusingly similar to the Complainant's ARCHER & OLIVE trademark;
- the Respondent has no rights or legitimate interests in the Disputed Domain Name; and
- the Disputed Domain Name has been registered and it is being used in bad faith.

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 Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 1.7.

The 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 Panel finds that the ARCHER & OLIVE trademark is recognizable within the Disputed Domain Name, despite the replacement of the "&" sign in the trademark by its equivalent term "and" in the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's trademark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

The country code Top-Level Domain ".co" in the Disputed Domain Name should be viewed as a standard registration requirement and thus, disregarded. WIPO Overview 3.0, section 1.11.1.

Further to all the above, 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 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.

Having reviewed the available record, the Panel finds 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.

It is accepted by the Panel that the Complainant has not authorized the Respondent to use or register the ARCHER & OLIVE trademark, including as part of the Disputed Domain Name. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name.

In view of the composition of the Disputed Domain Name, the Panel is of the opinion that the Respondent registered this with the ultimate intent to mislead the Internet users and to erroneously make them believe that the Disputed Domain Name is operated by or associated with the Complainant. Moreover, the Disputed Domain Name resolves to a website that offers goods which are identical to, or which compete with those offered by the Complainant under its ARCHER & OLIVE trademark, while unlawfully displaying the Complainant's trademark and logo, as well as copyright-protected images of the Complainant's products. In this sense, it has been established that "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". WIPO Overview 3.0, section 2.5.

The Panel considers that the composition of the Disputed Domain Name, coupled with its use as explained above, signals the Respondent's intention of taking unfair advantage of the Complainant's mark.

Thus, the Panel is of the opinion that the Respondent does not use the Disputed Domain Name in connection with a bona fide offering of goods or services, respectively nor does it make a legitimate noncommercial or fair use of the Disputed Domain Name as per the Policy.

The Respondent did not respond to the Complainant's contentions, thus the Respondent did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Name.

Further to all the above, 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.

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.

In the present case, the Panel notes that the Respondent registered the Disputed Domain Name after the Complainant registered and used its ARCHER & OLIVE trademark. In view of the composition of the Disputed Domain Name, as well as its use (as previously explained), it is highly unlikely that the Respondent was not aware of the Complainant's trademark and business when registering the Disputed Domain Name. The Panel considers that the Respondent targeted the Complainant when registering the Disputed Domain Name.

The Panel is of the opinion that the Respondent registered the Disputed Domain Name with the intent to mislead the Internet users into believing that the website at the Disputed Domain Name is affiliated with or endorsed by the Complainant, which is a clear proof of bad faith.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] web site or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] web site or location or of a product or service on [the respondent's] web site or location" is evidence of registration and use in bad faith. In view of all the above, the Panel is of the opinion that the Respondent's intention was to attract Internet users to the webpage at the Disputed Domain Name, by creating a likelihood of confusion and making them believe that said webpage is held, controlled or related to the Complainant, for the Respondent's commercial gain.

The Panel also notes the Respondent's failure to submit a response in the present proceeding, which may be considered as a further indication of the Respondent's bad faith.

Further to all the above, 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 <archerandolive.co> be transferred to the Complainant.

/Monica Novac/
Monica Novac
Sole Panelist
Date: February 2, 2026