

## ADMINISTRATIVE PANEL DECISION

26 UNITED CORPO SA v. Maison Heritage

Case No. DCO2025-0104

### 1. The Parties

The Complainant is 26 UNITED CORPO SA, Luxembourg, represented by Caron Avocats, France.

The Respondent is Maison Heritage, New Zealand.

### 2. The Domain Name and Registrar

The disputed domain name <maisonheritage.co> is registered with GoDaddy.com, LLC (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 24, 2025. On December 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 26, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 30, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant sent an email communication to the Center on December 31, 2025.

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 January 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 26, 2026. The Respondent sent an email communication to the Center on January 1, 2026, indicating it wished to voluntarily relinquish the disputed domain name. The Center sent a possible settlement email to the Parties on January 2, 2026, and the Complainant chose not to suspend the proceedings for settlement discussions. The Respondent filed a Response on January 7, 2026. The Complainant submitted a supplemental filing on January 12, 2026.

The Center appointed Alissia Shchichka 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 operates in the fashion and luxury goods sector. The Complainant's products are marketed and delivered worldwide. In its commercial communications, the Complainant refers to artisanal craftsmanship, luxury positioning, and French or Parisian style, with an emphasis on timeless quality. The Complainant promotes its business at "www.maisonheritage.fr".

The Complainant has evidenced to be the registered owner of numerous trademark registrations for MAISON HERITAGE, including, but not limited to, the following:

- European Union Trade Mark Registration for MAISON HERITAGE No. 016578171, registered on July 28, 2017, for goods in classes 18 and 25;
- International Trademark Registration for MAISON HERITAGE No. 1654992, registered on November 3, 2021, for goods in classes 18 and 25; and
- International Trademark Registration No. 1736371 for MAISON HERITAGE, registered on April 27, 2023, for goods in class 18.

The aforementioned trademarks were registered prior to the registration of the disputed domain name, which was registered on July 19, 2025.

At present, the disputed domain name resolves to an inactive page. However, according to the evidence submitted by the Complainant, at the time of the filing of the Complaint, the disputed domain name resolved to a website offering fashion goods for sale under the MAISON HERITAGE trademark displaying French/Parisian stylistic references.

According to the disclosed Whois information for the disputed domain name, the Respondent is apparently located in New Zealand.

On September 25, 2025, the Complainant's representative sent a cease-and-desist letter to the Respondent. According to the Complaint, the Respondent did not reply to the Complainant's cease-and-desist letter. However, the order placed by the Complainant's representative on the website at the disputed domain name was cancelled and refunded on the same day.

#### **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 identical or, at least, confusingly similar to the Complainant's MAISON HERITAGE trademarks, as it wholly incorporates the trademark without any additional element. The country code Top-Level Domain ("ccTLD") ".co" does not prevent a finding of confusing similarity and should be disregarded for the purposes of the first element, as it is a standard registration requirement.

The Complainant further asserts that the Respondent has no rights or legitimate interests in the disputed domain name for the following reasons: (i) the Respondent has not been licensed, authorized, or otherwise permitted to use the Complainant's MAISON HERITAGE trademarks; (ii) the Respondent is not commonly known by the disputed domain name and does not hold any trademark rights in the term "Maison Heritage"; and (iii) the Respondent has not used the disputed domain name in connection with any bona fide offering of goods or services. Instead, the disputed domain name was used to resolve to a website offering fashion goods for sale, with references to French/Parisian themes and positioning, thereby creating a likelihood of confusion with the Complainant's trademarks and misleading Internet users in order to divert them from the Complainant's website.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. In particular: (i) The Respondent knew or should have known of the Complainant's trademark rights, as the Complainant's MAISON HERITAGE trademarks were registered and used well before the registration of the disputed domain name, and a trademark register search or Internet search would have informed the Respondent of the existence of the Complainant's trademark rights; (ii) the disputed domain name was used in connection with a website displaying the Complainant's trademark and similar thematic references, offering competing fashion goods at lower prices, thereby attempting to attract, for commercial gain, Internet users by creating a likelihood of confusion as to source, affiliation, or endorsement; and (iv) the Respondent failed to respond to the Complainant's cease-and-desist communications and used a privacy service when registering the disputed domain name, which constitutes additional indicia of bad faith.

In addition, the Complainant also submits that the Respondent's disclosed contact details do not permit identification of the alleged counterfeiter. In particular, the Complainant contends that the name "Maison Heritage" corresponds to its trademark and not to the name of an individual or a registered legal entity, that no company is associated with the Respondent's address in the New Zealand business registers, and that the address appears to be residential according to property records.

The Complainant requests that the disputed domain name be transferred to the Complainant.

## **B. Respondent**

The Respondent submitted several communications in the course of this proceeding.

In its initial communication, the Respondent stated that it did not intend to contest the proceeding and expressed its willingness to voluntarily relinquish the disputed domain name, requesting that the Registrar remove any lock to allow the disputed domain name to be cancelled or released.

In its Response of January 7, 2026, the Respondent acknowledged that upon receipt of the present proceeding, it became aware that the Complainant holds trademark registrations for MAISON HERITAGE in several jurisdictions. The Respondent asserted that the Complainant does not hold a registered trademark in New Zealand and denied the Complainant's allegations of counterfeiting, impersonation, fraud, or identity theft. The Respondent stated that the website previously associated with the disputed domain name was independently established in New Zealand as an online fashion retailer and it did not sell the Complainant's products nor did it reproduce the Complainant's website, or purported to be affiliated with the Complainant.

The Respondent further submitted that, notwithstanding its position, it voluntarily relinquished control of the disputed domain name after becoming aware of the present proceeding, in order to avoid any potential confusion between the Parties. The Respondent indicated that the disputed domain name no longer resolves to its website, that it does not oppose the transfer of the disputed domain name to the Complainant, and that it no longer makes any use of the disputed domain name. The Respondent stated that the disputed domain name was not registered for the purpose of targeting the Complainant or its trademarks and that the steps taken were made in good faith to resolve the matter efficiently.

## 6. Discussion and Findings

### 6.1 Supplemental Filing

On January 12, 2026, the Complainant submitted a supplemental filing, purportedly limited to clarifying factual matters raised in the Response. The Panel notes that the Rules provide for the submission of a Complaint by the Complainant and a Response by the Respondent, and make no express provision for unsolicited supplemental filings. Under paragraphs 10 and 12 of the Rules, the Panel has sole discretion to determine the admissibility of further statements or documents submitted by either Party.

In the present case, the Panel determines that the Complainant's January 12, 2026 supplemental submission does not add any material information or clarification that cannot already be derived from the Complaint, the Response, or the evidence on record. Accordingly, the supplemental submission is rejected. Even if it were considered by the Panel, it would not have any impact on the outcome of the current proceedings.

### 6.2 Substantive Issues

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

#### 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 Respondent asserts that the Complainant does not have any trademark rights in New Zealand. [WIPO Overview 3.0](#), section 1.1.2, provides that "[n]oting in particular the global nature of the Internet and Domain Name System, the jurisdiction(s) where the trademark is valid is not considered relevant to panel assessment under the first element."

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 Complainant has confirmed that the Respondent is not affiliated with the Complainant and has never been authorized, licensed, or otherwise permitted to use the Complainant's MAISON HERITAGE trademarks, nor to register any domain name incorporating those trademarks.

The Panel further notes that, according to the Whois records, the Respondent's organization name appears as "Maison Heritage". Panels have consistently held that a respondent's mere assertion of being commonly known by a disputed domain name is insufficient to establish rights or legitimate interests. Rather, panels require independent and credible evidence demonstrating that the respondent has been legitimately and demonstrably known by the relevant name, independent of the disputed domain name. In the present case, the Complainant asserts there is no company associated with the Respondent's address in the New Zealand business registers, to which the Respondent has not rebutted. Further, the Respondent has provided no explanation supported by evidence demonstrating a legitimate and independent adoption of the designation "Maison Heritage", and has therefore failed to rebut the Complainant's *prima facie* case. [WIPO Overview 3.0](#), section 2.3.

The Respondent has limited itself to asserting that the website previously associated with the disputed domain name was independently established in New Zealand as an online fashion retailer and did not purport to be affiliated with the Complainant. However, UDRP panels assess the case not solely on the basis of a respondent's assertions, but by examining the overall facts and circumstances of the case. [WIPO Overview 3.0](#), section 2.5.2.

In the present case, the Panel finds that the overall facts and circumstances do not support a finding of the Respondent's rights or legitimate interests in the disputed domain name for the reasons below and further discussions under the third element below.

The Respondent previously used the disputed domain name to operate a commercial website offering competing fashion goods. Moreover, the Panel notes that the website associated with the disputed domain name apparently contained no elements allowing for the identification of a legitimate business operator on the home page. In particular, under the Terms of service on the website, apart from the Respondent's email address, it displayed [INSERT TRADING NAME], [INSERT BUSINESS ADDRESS], [INSERT BUSINESS PHONE NUMBER], [INSERT BUSINESS REGISTRATION NUMBER], and [INSERT VAT NUMBER]. No company name, registration number, or registered address was provided. The absence of such information, combined with elements suggesting apparently automated or artificially generated content, further undermines the credibility of the Respondent's claimed legitimate business activity.

The Panel also finds that the composition of the disputed domain name, which reproduces the Complainant's trademark in its entirety, carries a high risk of implied affiliation with the Complainant as it suggests endorsement by the trademark owner, which cannot be considered as fair use. [WIPO Overview 3.0](#), section 2.5.1.

Accordingly, the Panel finds under the circumstances of this case that the registration and use of a domain name identical to the Complainant's distinctive trademark, combined with the purported operation of an online fashion retail website in the same commercial field as the Complainant, does not confer any rights on the Respondent in the disputed domain name. Based on the available record, the Panel finds that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at

issue nor does the Respondent have used the disputed domain name for a bona fide offering of products or services.

The fact that the disputed domain name currently resolves to an inactive page does not alter the aforementioned conclusions.

Accordingly, the Complainant has provided evidence supporting its *prima facie* claim that the Respondent lacks any 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.

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

### **C. Registered and Used in Bad Faith**

The third element of paragraph 4(a) of the Policy requires that the Complainant demonstrate that the Respondent registered and is using the disputed domain name in bad faith.

The Panel notes that the registration of the Complainant's MAISON HERITAGE trademarks predate the registration of the disputed domain name. The Complainant has operated for several years in the fashion sector and has used the MAISON HERITAGE trademark in connection with the sale of fashion goods.

The disputed domain name reproduces the Complainant's MAISON HERITAGE trademark in its entirety. While "maison" and "heritage" are common words in the French and English languages respectively, the Panel finds the combination of these two words is not a common phrase. The term "Maison Heritage" does not appear to correspond to any commonly used term in English nor does it carry an obvious meaning for consumers outside the French language context. In this regard, the Panel considers that it is unlikely that the Respondent based in New Zealand, an English-speaking jurisdiction, would have independently and coincidentally selected the term "Maison Heritage" absent knowledge of the Complainant and its trademark. The selection of this term in the disputed domain name which was used in connection with a website purportedly offering fashion products in the same commercial field as that of the Complainant further suggests that the Respondent intended to target the Complainant's trademark when registering the disputed domain name. In the absence of any explanation from the Respondent regarding its choice of the term "Maison Heritage" in the disputed domain name, the Panel finds that these circumstances support the conclusion that the Respondent's choice of the disputed domain name was most likely not coincidental and the Respondent knew or should have known the Complainant's trademarks at the time of registering the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

The Panel finds that the Respondent's use of the disputed domain name was likely intended to create an impression of association or affiliation with the Complainant. Therefore, the Panel finds that the Respondent has registered and used the disputed domain name most likely for the purpose of capitalizing on the reputation of the Complainant's trademarks and targeting the Complainant. This conduct demonstrates that the Respondent has intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademarks as to source, sponsorship, affiliation, or endorsement of its website. Under paragraph 4(b)(iv) of the Policy, this circumstance shall be evidence of the registration and use of a domain name in bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Panel therefore finds that, in the circumstances of this case, the Respondent's registration and use of the disputed domain name constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The current non-use of the disputed domain name does not change the Panel's finding of the Respondent's bad faith.

Accordingly, 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 <maisonheritage.co> be transferred to the Complainant.

*/Alissia Shchichka/*

**Alissia Shchichka**

Sole Panelist

Date: February 2, 2026