

ADMINISTRATIVE PANEL DECISION

NEW BALANCE ATHLETICS, INC. v. Giorgi Tevzadze, City Sport Case No. DGE2026-0001

1. The Parties

The Complainant is NEW BALANCE ATHLETICS, INC., United States of America (“United States”), represented by Day Pitney LLP, United States.

The Respondent is Giorgi Tevzadze, City Sport, Georgia.

2. The Domain Name and Registry

The disputed domain name <newbalance.com.ge> is registered with Caucasus Online LLC (the .GE Registry).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 13, 2026. On February 16, 2026, the Center transmitted by email to the .GE Registry a request for registry verification in connection with the disputed domain name. On February 19, 2026, the .GE Registry 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 (სიტი სპორტი) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 23, 2026, providing the registrant and contact information disclosed by the .GE Registry, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on February 27, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .GE Domain Name Dispute Resolution Policy (the .GE Policy), the Rules for .GE Domain Name Dispute Resolution Policy (the .GE Rules), and the WIPO Supplemental Rules for .GE Domain Name Dispute Resolution Policy (the Supplemental Rules).

In accordance with the .GE Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 2, 2026. In accordance with the .GE Rules, paragraph 5, the due date for Response was March 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 23, 2026.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on March 27, 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 .GE Rules, paragraph 7.

4. Factual Background

The Complainant is a recognized athletic footwear and apparel company, offering products branded NEW BALANCE and owns many trademark registrations for NEWBALANCE such as: United States Trademark Registration No. 2690233, registered on February 25, 2003,

The disputed domain name was registered on April 4, 2025, and does not resolve to an active website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the .GE Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark NEW BALANCE. The disputed domain name incorporates the Complainant's trademark in full.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name because: (i) the Respondent has not made any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services; (ii) the Respondent has not acquired, or owned, any trademark or service mark rights in the names NEW BALANCE, and has not been commonly known by the disputed domain name; and (iii) the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain or without intent to misleadingly divert consumers or to tarnish the Complainant's trademark.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark is widely known. The disputed domain name does not resolve to an active webpage and does not provide any contact information or indication as to the Respondent's identity and the Respondent's purposes for registering the disputed domain name cannot be determined with absolute certainty. The passive holding doctrine applies here because of: (i) the degree of distinctiveness or reputation of the Complainant's mark, (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) it is not possible to assess whether the information relating to the Respondent's identity is true or false – the Respondent has not entirely concealed its identity, but there is also no evidence as to whether it is a legitimate entity or whether the information provided is legitimate. It is implausible to make non-infringing use of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant owns trademark registrations for the trademark NEW BALANCE. The Panel is satisfied that the Complainant has established its ownership of the trademark NEW BALANCE.

The disputed domain name comprises the Complainant's trademark in its entirety with the addition of ".com.ge" country code Top-Level-Domain (ccTLD) which should typically be ignored when assessing confusing similarity as established by prior .GE Policy decisions.

Consequently, the Panel finds that the disputed domain name is confusingly similar to the trademark of the Complainant and that the Complainant has satisfied paragraph 4(a)(i) of the .GE Policy.

B. Rights or Legitimate Interests

The Complainant has made a prima facie showing that the Respondent does not have any rights or legitimate interests in the disputed domain name. The Respondent has not provided evidence of circumstances of the types specified in paragraph 4(c) of the .GE Policy, or of any other circumstances, giving rise to rights or legitimate interests in the disputed domain name.

Consequently, the Panel finds that the Complainant has met the requirement under the .GE Policy of showing that the Respondent does not have any rights or legitimate interests in the disputed domain name.

The Panel further notes that the disputed domain name carries a high risk of implied affiliation.

Accordingly, the Complainant has satisfied paragraph 4(a)(ii) of the .GE Policy.

C. Registered or is Being Used in Bad Faith

The Complainant's trademark is well-known worldwide and was registered for more than 20 years when the disputed domain name was registered. The Respondent must have been fully aware of the Complainant and its trademark. The disputed domain name is inactive and such passive holding is an indication of bad faith in the circumstances of this case, as has been considered by past panels in similar cases, and particularly noting the composition of the disputed domain name, which carries a risk of implied affiliation.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) of the .GE Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the .GE Policy and 15 of the .GE Rules, the Panel orders that the disputed domain name <newbalance.com.ge> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: April 2, 2026