

ADMINISTRATIVE PANEL DECISION

Montblanc- Simplo GmbH v. Jackie J Warrington, Aylin Schulze
Case No. DMX2026-0014

1. The Parties

The Petitioner is Montblanc-Simplo GmbH, Germany, represented by Corsearch, Inc., United States of America.

The Holders are Jackie J. Warrington and Aylin Schulze, Germany.

2. The Domain Name and Registrar

The disputed domain names <montblancmexico.com.mx> and <montblancmx.com.mx> are registered with Registry .MX, a division of NIC México. The Registrar of the disputed domain names is Registrar.eu. (the "Registrar").

3. Procedural History

The Request was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on April 10, 2026. On April 10, 2026, the Center transmitted by email to Registry .MX a request for registrar verification in connection with the disputed domain names. On the same date, Registry .MX transmitted by email to the Center its verification response, confirming the registrants of the disputed domain names and providing the corresponding administrative, technical, and billing contact information. The information disclosed by Registry .MX differed from the Holders' information contained in the Request.

The Center verified that the Request satisfied the formal requirements of the .MX Domain Name Dispute Resolution Policy (the "Policy" or "LDRP"), the Regulations for the .MX Domain Name Dispute Resolution Policy (the "Regulations"), and the WIPO Supplemental Rules for .MX Domain Name Dispute Resolution Policy (the "Supplemental Rules"). However, as the Request was not initially in compliance with certain formal requirements, the Center notified the Complainant of the deficiencies on April 14, 2026.

The Complainant filed an amended Request on April 19, 2026. The Center verified that the Request, together with the amended Request, satisfied the requirements of the Policy and the Regulations.

In accordance with Article 4 of the Regulations, the Center formally notified in both Spanish and English the Holders of the Request, and the proceedings commenced on April 21, 2026. In accordance with Article 5 of the Regulations, the due date for filing a Response was May 11, 2026. The Holders did not submit any Response. Accordingly, on May 12, 2026, the Center notified the Holders' default.

The Center appointed Kiyoshi Tsuru as Sole Panelist in this matter on May 22, 2026. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by Article 9 of the Regulations. The Panel finds that it was properly constituted.

4. Factual Background

The Petitioner is a German company founded in 1906 and engaged in the manufacture and commercialization of luxury goods, including writing instruments, watches, leather goods, accessories, and related products. The Petitioner forms part of the Richemont Group, which operates internationally in the luxury goods sector.

The Petitioner is the owner of numerous trademark registrations for MONTBLANC in jurisdictions around the world, including Mexico. Among such registrations are the following:

Trademark	Registration Number	Registration Date	Class	Territory
MONTBLANC	455147	March 24, 1994	18	Mexico
MONTBLANC	505369	September 26, 1995	37	Mexico
MONTBLANC	511943	November 30, 1995	35	Mexico
MONTBLANC	012219366	April 24, 2014	3, 9, 14, 16, 18, 25	European Union Community Trademark

The Petitioner has used the MONTBLANC trademark for several decades and maintains international commercial presence. The Petitioner also operates official websites associated with its trademark, including “www.montblanc.com” and “www.montblanc.com.mx”, and maintains presence on various social media platforms.

The disputed domain name <montblancmx.com.mx> was registered on August 18, 2025, and the disputed domain name <montblancmexico.com.mx> was registered on September 15, 2025.

The evidence submitted in the record shows that the disputed domain names resolved to websites reproducing the MONTBLANC trademark. The disputed domain name <montblancmx.com.mx> offered products not authorized by the Petitioner and the disputed domain <montblancmexico.com.mx> resolved to a pay-per-click (“PPC”) website.

5. Parties’ Contentions

A. Petitioner

The Petitioner contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Petitioner contends the following:

I. Identical or confusing similarity

That it owns numerous trademark registrations for MONTBLANC in various jurisdictions worldwide, including the European Union and Mexico, which predate the registration of the disputed domain names.

That the MONTBLANC trademark enjoys widespread international recognition as an identifier of luxury goods, particularly writing instruments, watches, leather goods, and accessories.

That the disputed domain names <montblancmexico.com.mx> and <montblancmx.com.mx> incorporate the MONTBLANC trademark in its entirety, and that the additional terms “mexico” and “mx” are insufficient to avoid a finding of confusing similarity.

II. Rights or Legitimate Interests

That the Petitioner has not authorized, licensed, or otherwise permitted the Holders to use the MONTBLANC trademark or to register domain names incorporating such trademark.

That the Holders are not commonly known by the disputed domain names and do not hold any trademark registrations or other rights corresponding to them.

That the disputed domain names have been used either to resolve to websites reproducing the MONTBLANC trademark and offering non-authentic products bearing said trademark, thereby creating the misleading impression that there is an affiliation, sponsorship, or relationship with the Petitioner or to resolve to a PPC website

That such use does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain names.

III. Registered or Used in Bad Faith

That the Holders registered and are using the disputed domain names in bad faith, with knowledge of the Petitioner’s rights in the MONTBLANC trademark.

That the Holders have intentionally attempted to attract, for commercial gain, Internet users to their websites by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of such websites and the products offered through them.

That, accordingly, the disputed domain names should be transferred to the Petitioner.

B. Holders

The Holders did not reply to the Petitioner’s contentions.

6. Preliminary Issues

Given that the Policy is a variation of the Uniform Domain Name Dispute Resolution Policy (“UDRP”), this Panel considers it appropriate to refer, to the extent applicable, to decisions rendered under the UDRP and to the doctrine reflected in the WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)).

A. Consolidation of Holders

The Request was filed against two registrants of the disputed domain names <montblancmexico.com.mx> and <montblancmx.com.mx>, identified on the record as Jackie J. Warrington and Aylin Schulze, respectively.

The Petitioner requests consolidation of the Holders, arguing that the disputed domain names are controlled by the same person or entity, or by persons acting in concert, and that therefore the consolidation of the Holders in a single proceeding is appropriate. Specifically, the Petitioner claims the disputed domain names are similarly constructed, are registered with the same Registrar, use Cloudflare as the DNS, use similar IP addresses, and the registrants of the disputed domain names reside in the same country, Germany.

Panels have accepted such consolidation where the evidence indicates that the disputed domain names are subject to common control and where consolidation would be fair and equitable to all parties. See section 4.11.2 of the [WIPO Overview 3.1](#). See also *Speedo Holdings B.V. v. Programmer, Miss Kathy Beckerson, John Smitt, Matthew Simmons*, WIPO Case No. [D2010-0281](#), in which the panel accepted consolidation notwithstanding differing registrant names where the record contained sufficient indicia of common control.

In this case, the record shows that both of the disputed domain names incorporate the Petitioner's MONTBLANC trademark along with the terms "mexico" and "mx" and therefore are similarly constructed, and were registered within a month apart.

The Panel may draw reasonable inferences from the overall pattern of registration and use reflected on the record. The evidence submitted by the Petitioner shows that the disputed domain names target the same trademark, follow the same naming pattern, and were registered within a short period of time. On the balance of probabilities, these circumstances support a finding that the disputed domain names are subject to common control, and thus the Panel determines that consolidation is fair and equitable in the present case.

B. Language of the Proceeding

Article 13 of the Rules provides that, unless otherwise agreed by the parties, the language of .mx LDRP proceedings shall be Spanish, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the case.

The Request was filed in English. The Petitioner expressly requested that English be the language of the proceeding, arguing that the language of the Registration Agreement for both of the disputed domain names is English, that requiring a translation of the Request and supporting evidence would result in unnecessary expense and delay, and that one of the websites to which the disputed domain names resolve display English-language content.

Furthermore, the evidence submitted by the Petitioner demonstrates that one of the websites to which the disputed domain names resolved contained English-language content, suggesting that one Respondent, who have declared to be domiciled in Germany, possess sufficient knowledge of English to understand the nature of this proceeding. In addition, the disputed domain name <montblancmx.com.mx> has an option to view the content in English.

The Center notified the Respondents of the Request and afforded them an opportunity to comment on the language of the proceeding. However, the Respondents neither objected to the Petitioner's request, nor have otherwise participated in this proceeding.

Having regard to all the circumstances of the case, including the content of the websites associated with the disputed domain names, the fact that the Petitioner is a German company and that the Respondents have declared to reside in Germany, the absence of any objection from the Respondents, and the fact that the Expert is fluent in both English and Spanish, as well as considerations of fairness and procedural efficiency, the Expert notes that, on the balance of probabilities, English is a more universal language to German speakers than Spanish, thus being fair and equitable for the Parties that English be the language of this proceeding.

In light of the above, pursuant to Article 13 of the Rules, the Expert determines that the language of the proceeding shall be English.

7. Discussion and Findings

In accordance with Article 1(a) of the Policy, the Petitioner must prove that:

- (i) the disputed domain names are identical or confusingly similar to a trademark, service mark, registered slogan, appellation of origin, or reserved rights in which the Petitioner has rights;
- (ii) the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered or are being used in bad faith.

A. Identical or Confusingly Similar

The Petitioner has established rights in the MONTBLANC trademark through its trademark registrations, including registrations in the European Union and Mexico that predate the dates of registration of the disputed domain names.

The disputed domain names <montblancmexico.com.mx> and <montblancmx.com.mx> incorporate the MONTBLANC trademark in its entirety.

The addition of the terms “mexico” and “mx” does not prevent a finding of confusing similarity.

As stated in section 1.8 of the [WIPO Overview 3.1](#), where a trademark is recognizable within a disputed domain name, the addition of geographical, descriptive, or other terms does not prevent a finding of confusing similarity. Furthermore, because the applicable country-code Top-Level Domain “.com.mx” and associated thereto constitute imperative technical requirements of the DNS, they are generally disregarded for purposes of the confusing similarity test. See section 1.11.1 of the [WIPO Overview 3.1](#).

Accordingly, the Expert finds that the disputed domain names are confusingly similar to the Petitioner’s MONTBLANC trademark.

The first element of Article 1(a) of the Policy has therefore been established.

B. Rights or Legitimate Interests

The Petitioner states that it has not authorized, licensed, or otherwise permitted the Respondents to use the MONTBLANC trademark or to register domain names incorporating that trademark.

There is no evidence on the record showing that the Respondents are commonly known by the disputed domain names or that they have acquired trademark or other rights in the term “Montblanc”. Previous UDRP panels have consistently recognized MONTBLANC as a well-known or famous trademark. See, *Montblanc-Simplo GmbH v. zhangyl*, WIPO Case No. [D2013-0908](#); *Montblanc-Simplo GmbH and Compagnie Financière Richemont S.A. v. WhoisGuard Protected*, WIPO Case No. [D2019-2912](#); and *Montblanc-Simplo GmbH and Compagnie Financière Richemont S.A. v. Domain Admin*, WIPO Case No. [D2020-0932](#). The well-known/famous status of the trademark MONTBLANC, in addition to the fact that the Respondents have specifically targeted the Petitioner and its commercial activities, by making available websites that reproduce the Petitioner’s trademarks and one of them offered purportedly authentic MONTBLANC products for sale, eliminates the possibility of rights or legitimate interests on the side of the said Respondents.

Rather, the use of the Petitioner’s trademark on the websites to which the disputed domain names resolve and the nature of the products been offered therein creates the impression that the Respondents had an official relationship or affiliation with the Petitioner.

The Petitioner suggested that the goods sold via the website to which the disputed domain name <montblancmexico.com.mx> resolve are not authentic. Even assuming that the products offered through the website was genuine, the evidence contained in the case docket does not demonstrate that said website

clearly and prominently disclosed the absence of any relationship between the Holder and the Petitioner. Moreover, the Respondent have not provided evidence demonstrating compliance with the cumulative criteria generally applied to resellers seeking to establish rights or legitimate interests in a domain name incorporating a third party's trademark (including avoiding any false suggestion of affiliation with the trademark owner). See section 2.8.1 of the [WIPO Overview 3.1](#).

The Petitioner has established a prima facie case that the Respondents lack rights or legitimate interests in the disputed domain names. The burden of production therefore shifts to the Respondents.

The Respondents have failed to rebut the Petitioner's prima facie case. The Expert further notes that the composition of the disputed domain names carries a risk of implied affiliation with the Petitioner, particularly because they consist of the Petitioner's trademark together with geographic terms directly associated with a territory in which the Petitioner owns trademark registrations and conducts commercial activities. Such composition is incapable of supporting a claim of rights or legitimate interests. See section 2.5.1 of the [WIPO Overview 3.1](#).

Accordingly, the Expert finds that the Respondents have no rights or legitimate interests in the disputed domain names. The second element of Article 1(a) of the Policy has therefore been established.

C. Registered or Used in Bad Faith

The evidence on the record demonstrates that the MONTBLANC trademark enjoys international recognition and has been covered by trademark registrations granted long before the dates of registration of the disputed domain names.

Given the well-known/famous status of the MONTBLANC trademark, the incorporation of that trademark in its entirety within the disputed domain names, the addition of terms referring to Mexico, where the Petitioner owns trademark registrations and conducts substantial business operations, and the content of the websites to which the disputed domain names resolved, the Expert finds it inconceivable that the Respondents registered the disputed domain names without knowledge of the Petitioner and its trademark rights.

The evidence on the record further shows that the disputed domain names were used to operate websites reproducing the MONTBLANC trademark offering products bearing said trademark or with PPC links, thereby creating the impression that such websites were operated, authorized, or endorsed by the Petitioner. In the Expert's view, this conduct constitutes a clear case of passing off, as described in section 3.1.4 of the [WIPO Overview 3.1](#).

The Expert further finds that the Respondents intentionally attempted to attract, for commercial gain, Internet users to their websites by creating a likelihood of confusion with the Petitioner's trademark as to the source, sponsorship, affiliation, or endorsement of the websites and the products offered through them. Such conduct falls squarely within Article 1(b)(iv) of the Policy, constituting evidence of bad-faith use.

In light of the abovementioned circumstances, the Expert concludes that the disputed domain names were registered or are being used in bad faith. The third element of Article 1(a) of the Policy has therefore been established.

8. Decision

For the foregoing reasons, in accordance with Article 1 of the Policy and Articles 19 and 20 of the Regulations, the Expert orders that the disputed domain names <montblancmexico.com.mx> and <montblancmx.com.mx> be transferred to the Petitioner.

/Kiyoshi Tsuru/

Kiyoshi Tsuru

Expert

Date: June 8, 2026