

## **ADMINISTRATIVE PANEL DECISION**

Primark Limited v. Ioannis Kara  
Case No. DQA2025-0003

### **1. The Parties**

The Complainant is Primark Limited, Ireland, represented by SafeNames Ltd., United Kingdom.

The Respondent is Ioannis Kara, United Arab Emirates.

### **2. The Domain Name and Registrar**

The disputed domain name <primark.qa> is registered with Q Host Technologies (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 6, 2025. On October 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 16, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on October 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on October 21, 2025.

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

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on October 23, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was November 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 13, 2025.

The Center appointed Emre Kerim Yardimci as the sole panelist in this matter on November 24, 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**

The Complainant is a multinational retailer originally founded in Ireland in 1969. It is offering a diverse range of products such as women's, men's and children's clothing, as well as accessories, beauty products and homeware.

The Complainant began using the PRIMARK brand in 1973 when it expanded into the United Kingdom. There are now 451 stores across the United Kingdom, Europe, and the United States of America.

The Complainant has been expanding into the Middle East with its first stores opening in Kuwait in October 2025 and Dubai in 2026. This expansion was announced in September 2024 through various media campaigns and press releases.

The Complainant employs over 82,000 people and operates in 17 countries.

The Complainant provided evidence of the following trademark registrations:

- Ireland trademark PRIMARK registration No. 83740, registered on April 8, 1974, in class 24;
- Ireland trademark PRIMARK registration No. 83739, registered on April 8, 1974, in class 25;
- Qatar trademark PRIMARK registration No. 033704, registered on November 16, 2009, in class 24;
- Qatar trademark PRIMARK registration No. 033705, registered on November 16, 2009, in class 25;
- European Union trademark PRIMARK registration No. 000117838, registered on February 1, 1999, in classes 18, 24, 25.

The Complainant provides information to online users about the Complainant's products and store locations at "www.primark.com".

The disputed domain name has been registered on September 5, 2024, and resolves to an Only Domains parked page titled "Welcome to primark.qa".

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant asserts that the disputed domain name is identical to, and at the same time, incorporating the Complainant's well-known trademark PRIMARK.

The Complainant considers that the Respondent has no rights or legitimate interests in respect of the disputed domain name, mainly because the Complainant has neither licensed nor otherwise authorized the Respondent to use its marks or to apply for or use any domain name incorporating the trademark PRIMARK.

The Complainant further asserts that although the Respondent is not using the disputed domain name, any future use cannot be considered for a bona fide offering of goods and services.

Finally, in addressing the question of registration and use of the disputed domain name in bad faith, the Complainant observes that the Respondent is well aware of the Complainant's trademark considering their trademark is so widely well-known that it is inconceivable that the Respondent was not aware of the Complainant or its earlier rights.

Finally, the Complainant further submits that Mail Exchange (“MX”) servers are activated in relation with the disputed domain name emails, suggesting that the Respondent has the intention to use the disputed domain name to support an email account.

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove that;

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

### **A. Identical or Confusingly Similar**

The Panel finds that the disputed domain name is identical for the purpose of the Policy to the Complainant’s trademark PRIMARK. The disputed domain name wholly incorporates the Complainant’s trademark.

As regards the country code Top-Level Domain, it is typically disregarded under the confusing similarity test.

The Complainant has thus fulfilled paragraph 4(a)(i) of the Policy

### **B. Rights or Legitimate Interests**

The onus is upon the Complainant to make out a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, and it is then for the Respondent to rebut this case.

The Panel accepts the Complainant’s submissions that the Respondent does not appear to have been commonly known by the disputed domain name, has not made demonstrable preparations to use the disputed domain name, and the Respondent is not making a legitimate noncommercial use of the disputed domain name. The Respondent has not filed a Response. It has no consent from the Complainant to register any domain name incorporating the Complainant’s trademark, it has not used the disputed domain name for a bona fide offering of goods or services.

The current passive holding of the disputed domain name does not give rise to any rights or legitimate interests under the circumstances of this case.

In addition, the Panel finds that the Respondent has the intention to likely use the disputed domain name to support email accounts considering that Respondent has activated the MX servers in relation with the disputed domain name emails.

The Panel finds that the composition of the disputed domain name incorporating the Complainant’s trademark in its entirety, creates a high risk of implied affiliation.

In the Panel’s view, the Complainant has made out their prima facie case under this element of the Policy and the Respondent, who is in default, has failed to rebut this case.

In the circumstances of this case, and in view of the Panel's discussion below, the Panel finds that the second element of the Policy has been established.

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

The Panel accepts the Complainant's assertions that the trademark PRIMARK is a well-known trademark.

The Complainant's trademark was registered in Qatar for not less than 15 years at the time of the registration of the disputed domain name.

The incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith (*Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#); *General Electric Company v. CPIC NET and Hussain Syed*, WIPO Case No. [D2001-0087](#); and *Microsoft Corporation v. Montrose Corporation*, WIPO Case No. [D2000-1568](#))<sup>1</sup>.

The Respondent has registered the disputed domain name but has not put it to any material use. Thus, the Respondent is holding the disputed domain name passively. It has long been generally held in UDRP decisions that the passive holding of a domain name that incorporates a well-known trademark, without any actual or contemplated good faith use for an Internet purpose, does not necessarily circumvent a finding that the domain name is in use within the requirements of paragraph 4(a)(iii) of the Policy (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)). The Panel therefore finds that the non-use of the disputed domain names does not prevent a finding of bad faith under the doctrine of passive holding. See [WIPO Overview 3.0](#), section 3.3.

Additionally, the Panel accepts the Complainant claim that the Respondent has activated the MX servers in relation with the disputed domain name emails, suggesting that the Respondent has the intention to likely use the disputed domain name to support email account.

Given the reputation and the distinctiveness of the Complainant's mark, the activation of MX servers, the Respondent's lack of participation in this proceeding, and the lack of any credible good faith use to which the identical disputed domain name could be put, the totality of circumstances surrounding the non-use of the disputed domain name does not prevent a finding of bad faith. [WIPO Overview 3.0](#), section 3.3.

Therefore, in the view of cumulative circumstances, the Panel finds that the requirement of registration and use in bad faith is satisfied, according to the Policy, paragraph 4(a)(iii).

## **7. Decision**

For the foregoing reasons, in accordance with paragraph 3(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <primark.qa> be transferred to the Complainant.

/Emre Kerim Yardimci/

**Emre Kerim Yardimci**

Sole Panelist

Date: December 8, 2025

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<sup>1</sup> Noting the similarities between the Policy and the Uniform Dispute Resolution Policy ("UDRP"), the Panel will also take into account the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), and the cases decided under the UDRP.