

ADMINISTRATIVE PANEL DECISION

Prada S.A. v. Kathleen Fuentes
Case No. DCO2026-0007

1. The Parties

The Complainant is Prada S.A., Luxembourg, represented by Studio Barbero S.p.A., Italy.

The Respondent is Kathleen Fuentes, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <pradacanada.co> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 21, 2026. On January 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 2026, 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 February 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 26, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on March 9, 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 was founded in 1913 by Mario Prada in Milan. Today, the Complainant resp. the Prada Group manages a diverse portfolio including the brands “Miu Miu”, “Church’s”, and “Car Shoe”, spanning haute couture, footwear, eyewear, and fragrances. The Complainant operates in 70 countries with approximately 15,200 employees and an extensive retail network of over 600 stores across Europe, America and Asia.

The Complainant is the owner of several trademarks for PRADA (the “PRADA Trademark”), including:

- European Union Trademark Registration PRADA No. 000271163, registered on November 8, 2000;
- European Union Trademark Registration PRADA No. 012443362, registered on May 13, 2014; and
- United States Trademark Registration PRADA No. 1400409 registered on July 8, 1986.

The Complainant is also owner of several domain names including the PRADA Trademark, such as the domain name <prada.com>, registered on June 9, 1997.

The disputed domain name was registered on May 31, 2024. At the time of the Decision, the disputed domain name resolved to an inactive website. The Complainant provided evidence that the disputed domain name previously resolved to an active website prominently displaying the PRADA Trademark and the PRADA logo of the Complainant as well as images taken from the Complainant’s website, offering products bearing the PRADA Trademark for sale at heavily discounted prices.

On February 4, 2025, the Complainant’s representative sent a cease-and-desist letter to the Respondent demanding cessation of all use of the disputed domain name as well as other domain names including the PRADA Trademark, assuming that these domain names were also registered by the Respondent. The Respondent did not reply to the cease-and-desist letter.

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.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to the PRADA Trademark. The disputed domain name incorporates the whole of the PRADA Trademark. The fact that the disputed domain name differs from the PRADA Trademark by the mere addition of the geographic term “canada” does not affect the confusing similarity. Whilst the combination of the PRADA Trademark with the term “canada” is, per se, not a distinguishing feature, it may to the contrary be apt to increase confusion since users could believe that the disputed domain name is owned by the Complainant or, at least, by one of the Complainant’s affiliated entities or authorized resellers, for use in connection with the Canadian market. Further, the Top-Level Domain is merely instrumental to the use in Internet and shall be disregarded for purposes of assessing identity or confusing similarity under the first element.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not a licensee, authorized agent of the Complainant or in any other way authorized to use the PRADA Trademark. Specifically, the Respondent is not an authorized reseller of the Complainant and has not been authorized to register and use the disputed domain name. The Complainant is not in possession of, nor aware of the existence of any evidence demonstrating that the Respondent, might be commonly known by a name corresponding to the

disputed domain name as an individual, business, or other organization. Moreover, according to the searches performed by the Complainant, the Respondent does not own any trademark registrations for PRADA. The Respondent has not provided the Complainant with any evidence of the use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services before any notice of the dispute.

Moreover, there is no evidence that the Respondent might have used the disputed domain name in connection with a legitimate non-commercial or fair use, without intent for commercial gain to misleadingly divert consumers or to tarnish the PRADA Trademark. The disputed domain name is redirected by the Respondent to a website misappropriating the PRADA Trademark, publishing images taken from the Complainant's official advertising campaigns and offering for sale prima facie counterfeit PRADA products at discounted prices, without providing any disclaimer as to the Respondent's lack of relationship with Complainant. The Respondent's use of the disputed domain name is, therefore, certainly apt to confuse and mislead Internet users into believing that the website is operated by the Complainant or by an affiliated entity with the Complainant's consent. Such conduct demonstrates that the Respondent did not intend to use the disputed domain name in connection with any legitimate purpose. The Respondent's use cannot be considered a bona fide offering of goods or services or a legitimate non-commercial or fair use without intent for commercial gain, because the Respondent undoubtedly attempts to gain from the offer for sale of the products advertised on its website, by free-riding the well-known character of the PRADA Trademark and causing confusion amongst users as to the source or affiliation of its website and the products offered for sale thereon. With regard to the offer for sale of counterfeit products, several prior UDRP panels have held that "there can be no legitimate interest in the sale of counterfeits". Further, the Complainant highlights that, irrespectively of the nature of the products offered for sale on the Respondent's website, no fair use could be possibly invoked in the present case by the Respondent, since it had undoubtedly failed to accurately and prominently disclose its (lack of) relationship with the trademark holder, thus generating a clear likelihood of confusion amongst Internet users. In addition, the composition of the disputed domain name, combining the PRADA Trademark with the geographical term "canada", carries a high risk of implied affiliation with the Complainant. As a further element within the frame of rights or legitimate interest, the Respondent did not reply to the Complainant's cease-and-desist letter.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith. The Complainant is the owner of trademark registrations for PRADA which predate the registration of the disputed domain name for several years. Moreover, the PRADA Trademark has been extensively used since as early as 1913 in connection with the Complainant's advertising and sales of PRADA products worldwide and has been widely publicized globally and constantly featured throughout the Internet. Moreover, the well-known character of the PRADA Trademark has been recognized also in prior UDRP decisions. Therefore, it is inconceivable that the Respondent was not well aware of the PRADA Trademark at the time of the registration of the disputed domain name. The fact that purported PRADA products are offered for sale and the PRADA Trademark is published on the website to which the disputed domain name resolves, indicates that the Respondent was fully aware of the Complainant and its trademarks. The use of the disputed domain name in connection with the commercial website described above, offering for sale purported PRADA products and featuring the PRADA Trademark and images taken from the Complainant's official advertising campaigns without providing any disclaimer of non-affiliation with the Complainant, clearly indicates that Respondent's purpose in registering the disputed domain name was to capitalize on the reputation of the Complainant's trademark, by attracting Internet users seeking the Complainant's branded products to its own website for commercial gain and intentionally creating a likelihood of confusion with the PRADA Trademark as to the source, sponsorship, affiliation, or endorsement of its website and the goods offered and promoted through said website. As a further circumstance evidencing the Respondent's bad faith, the Respondent did not deem appropriate to reply to the Complainant's cease-and-desist letter and subsequent reminders sent to its attention. Prior panels have held that a failure to respond to a cease-and-desist letter can be evidence of bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel's decision be made "on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely 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 interests in respect of the disputed domain name; and
- (iii) 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The applicable Top-Level-Domain in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

The disputed domain name contains the PRADA Trademark in its entirety, with the only addition of the geographical term "canada". The Panel finds the PRADA Trademark is recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.7. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case "canada", does not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.8.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

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 that 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 3.1](#), section 2.1.

Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or illegal pharmaceuticals, phishing, distributing malware, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the PRADA Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name. Further, the disputed domain name is not used for a bona fide offering of goods or services. Rather, the Complainant has provided evidence that the disputed domain name resolved to an active website prominently displaying the PRADA Trademark and the PRADA logo of the Complainant as well as images taken from the Complainant's website, offering products bearing the PRADA Trademark for sale at heavily discounted prices. The Complainant asserts that the Respondent prima facie sells counterfeit products but omits to state arguments and provide clear evidence showing why the products sold by the Respondent are counterfeits. While some circumstantial evidence, such as the significant, unusual discount prices of the products offered on the website under the disputed domain name, tends to suggest the Respondent was offering counterfeit products, the Panel need not come to a final determination on this matter.

In any case, the website linked to the disputed domain name does not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be an official and/or authorized dealer for the Complainant's products.

This assessment is further supported by the nature of the disputed domain name. UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.1](#), section 2.5.1. In the view of the Panel, the composition of the disputed domain name, which incorporates the PRADA Trademark together with the geographical term "canada", carries a risk of implied affiliation or association.

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.

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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Panels also have held that the use of a domain name for illegitimate activity (here, claimed sale of counterfeit goods and impersonation/passing off) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

Further, panels have found the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: (i) actual confusion, (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful, (iii) the lack of a respondent's own rights to or legitimate interests in a domain name, (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a

disclaimer, (v) redirecting the domain name to the complainant's (or a competitor's) website, and (vi) absence of any conceivable good faith use. [WIPO Overview 3.1](#), section 3.1.4.

Moreover, 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 3.1](#), section 3.2.1.

In the present case the disputed domain name incorporates the PRADA Trademark in its entirety, whereas this trademark was registered years before the registration of the disputed domain name. Considering the distinctiveness and reputation of the PRADA Trademark, Internet users may think the disputed domain name is connected to the Complainant and would resolve to a website related to the Complainant because the geographical term "canada" included in the disputed domain name merely suggests that the Respondent operates an online store for Canada selling PRADA products. Further, the Complainant provided evidence that the disputed domain name previously resolved to an active website prominently displaying the PRADA Trademark and the PRADA logo of the Complainant as well as images taken from the Complainant's website, offering products bearing the PRADA Trademark for sale at heavily discounted prices. The Complainant asserts that the Respondent sells prima facie counterfeit products but omits to state arguments and provide clear evidence showing why the products sold by the Respondent are counterfeits. While some circumstantial evidence, such as the significant, unusual discount prices of the products offered on the website under the disputed domain name, tends to suggest the Respondent was offering counterfeit products, the Panel need not come to a final determination on this matter. In any case, the website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. As shown above, the Respondent lacks rights or legitimate interests in the disputed domain name.

Moreover, the Complainant sent a cease-and-desist letter to the Respondent demanding cessation of all use of the disputed domain name as well as other domains including the PRADA Trademark, assuming that these domains were also registered by the Respondent. The Respondent did neither respond to the cease-and-desist letter nor to the Complaint, which supports a finding of bad faith.

The Panel finds that the Respondent has intentionally tried to impersonate the Complainant or, at least, attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant and its PRADA Trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's website. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <pradacanada.co> be transferred to the Complainant.

/Manuel Wegrostek/

Manuel Wegrostek

Sole Panelist

Date: March 27, 2026