

## ADMINISTRATIVE PANEL DECISION

Palm Angels S.r.l. v. Marko Nadel, Marie Schmidt, ming dian, Michael KUESTER, Qiuyun Li, Whois Privacy Protection Foundation, Hosting Concepts BV d/b/a Registrar.eu, Web Commerce Communications Limited, Client Care, ZhouRunFa, Jennifer Schwab, Andreas Ostermann, Karin Schmitt, Sandra FUERST, Johanna MULLER, Anja RICHTER, Sven FUHRMANN, Tanja FUHRMANN, and Christine HERZOG  
Case No. D2023-1140

### 1. The Parties

The Complainant is Palm Angels S.r.l., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondents are Marko Nadel, Germany; Marie Schmidt, Germany; ming dian, China; Michael KUESTER, Germany; Qiuyun Li, China; Whois Privacy Protection Foundation, Hosting Concepts BV d/b/a Registrar.eu, Netherlands; Web Commerce Communications Limited, Client Care, Malaysia; ZhouRunFa, China; Jennifer Schwab, Germany; Andreas Ostermann, Germany; Karin Schmitt, Germany; Sandra FUERST, Germany; Johanna MULLER, Germany; Anja RICHTER, Germany; Sven FUHRMANN, Germany; Tanja FUHRMANN, Germany; and Christine HERZOG, Germany.

### 2. The Domain Names and Registrar

The disputed domain names <palmangelojas.com>, <palmangelsargentinaonline.com>, <palmangelsbaratas.com>, <palmangels-belgium.com>, <palmangelsbutik.com>, <palmangels-chile.com>, <palmangels-colombia.com>, <palmangelscolombia.com>, <palmangelsdenmark.com>, <palmangelsdublin.com>, <palmangelsenargentina.com>, <palmangelsenchile.com>, <palmangelsenucuz.com>, <palmangelsgr.com>, <palmangelsgreece.com>, <palmangelsgrstore.com>, <palmangelsshr.com>, <palmangelshrvatska.com>, <palmangelshungary.com>, <palmangelsindia.com>, <palmangelsinportugal.com>, <palmangels-ireland.com>, <palmangelsireland.com>, <palmangels-italia.com>, <palmangelsjapan.com>, <palmangelsmexico.com>, <palmangelsnederland.com>, <palmangelsnorge.com>, <palmangelsoutletchile.com>, <palmangelsoutletsouthafrica.com>, <palmangelsph.com>, <palmangels-philippines.com>, <palmangelspolska.com>, <palmangelsportugal.com>, <palmangelsromania.com>, <palmangelsaudiarabia.com>, <palmangels scontate.com>, <palmangels slovenija.com>, <palmangels-southafrica.com>, <palmangels sverige.com>, <palmangelstrening.com>, and <palmangels-turkiye.com> are registered with Alibaba.com Singapore E-Commerce Private Limited.

The disputed domain names <palmangelsalennus.com>, <palmangelsisrael.com>, <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelspascher.com>, <palmangelssslovensko.com>, and <palmangelsrbija.com> are registered with NETIM SARL.

The disputed domain names <palmangelsargentina.com>, <palmangelssouthafrica.com>, and <palmangelsturkiye.com> are registered with Dynadot LLC.

The disputed domain name <palmangelschile.com> is registered with Realtime Register B.V.

The disputed domain name <palmangelscolombia.com.co> is registered with 1API GmbH.

The disputed domain names <palmangels-greece.com>, <palmangelsmajice.com>, <palmangels-slovenija.com>, and <palmangelstop.com> are registered with Web Commerce Communications Limited dba WebNic.cc.

The disputed domain names <palmangels-romania.com>, and <palmangelsuae.com> are registered with OwnRegistrar, Inc.

The disputed domain names are collectively referred to as “the Domain Names”. Alibaba.com Singapore E-Commerce Private Limited, NETIM SARL, Dynadot, LLC, Realtime Register B.V., 1API GmbH, Web Commerce Communications Limited dba WebNic.cc, and OwnRegistrar, Inc. are collectively referred to as “the Registrars”.

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 14, 2023. On March 17, 2023, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Domain Names. Between March 17 and March 21, 2023, the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domain Admin, Whoisprotection.cc; Dynadot Privacy Service; WhoisSecure; Redacted for Privacy; Not disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 21, 2023 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 amendment to the Complaint on March 22, 2023.

The Center verified that the Complaint together with the amendment to 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 Respondents of the Complaint, and the proceedings commenced on March 28, 2023. In accordance with the Rules, paragraph 5, the due date for Response was April 17, 2023. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on April 23, 2023.

The Center appointed Pablo A. Palazzi as the sole panelist in this matter on May 5, 2023. 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 an Italian fashion and clothing company. The Palm Angels designs are skate inspired apparel and accessories.

Palm Angels was born in 2011 from an idea of the Italian Art Director and photographer Francesco Ragazzi, who started Palm Angels as a photographic documentation of Los Angeles's skater culture. The endeavor evolved into a clothing company.

The Complainant is the owner of several trademark registrations for PALM ANGELS, including the following:

- Italian Trademark Registration No. 0001669945, filed on April 13, 2015 and registered on May 4, 2016, in classes 9, 18 and 25;
- European Union Trademark Registration No. 013896006, filed on September 18, 2014 and registered on March 31, 2015, in classes 9, 18 and 25;
- International Trademark Registration No. 1252134, registered on March 16, 2015, in classes 9, 18 and 25, designating, amongst others, China and United States of America.

The Complainant has registered and uses several domain names such as <palmangels.com>, registered on October 20, 2012, <palmangels.org>, <palmangels.net> and <palmangels.it>, registered on April 20, 2015. Said domain names are formally registered in the name of the Complainant's exclusive licensee VENICE S.r.l.

The 60 (sixty) Domain Names involved in this dispute were registered by the Respondents between October 12, 2022 and October 29, 2022.

The Domain Names resolved to websites featuring the Complainant's trademark PALM ANGELS and images taken from the Complainant's official advertising campaigns and offering for sale purported PALM ANGELS branded products at discounted prices.

## **5. Parties' Contentions**

### **A. Complainant**

The Domain Names are confusingly similar to the Complainant's PALM ANGELS trademarks.

The Respondents have no rights or legitimate interests in respect of the Domain Names.

The Respondents have registered and are using the Domain Names in bad faith.

The Complainant requests the consolidation of the Domain Names based on the reasons provided in its Complaint and amendment to the Complaint.

The Complainant request the transfer of the Domain Names.

### **B. Respondents**

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

## **6. Discussion and Findings**

### **6.1 Consolidation: Multiple Domain Name Registrants**

The first issue in this case is whether the Complaint can be consolidated against the various named Respondents, as requested by the Complainant.

The Domain Names were registered in the names of different individuals.

Paragraphs 10(e) and 3(c) of the Rules provide:

“10(e) A Panel shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules.”

“3(c) The complaint may relate to more than one domain name, provided that the domain names are registered by the same domain-name holder.”

These provisions empower the Panel to consolidate multiple domain name disputes in a single decision or for a complainant to file a complaint relating to multiple domain names subject to the requirement that the disputed domain names are registered by the same domain-name holder.

### Complainant's Request for Consolidation

The Domain Names are the following:

#	Domain Name	Trademark	Additional Term
1	<palmangelojas.com>	PALM ANGELS omitting “s”	lojas
2	<palmangelsalennus.com>	PALM ANGELS	alennus
3	<palmangelsargentina.com>	PALM ANGELS	argentina
4	<palmangelsargentinaonline.com>	PALM ANGELS	argentinaonline
5	<palmangelsbaratas.com>	PALM ANGELS	baratas
6	<palmangels-belgium.com>	PALM ANGELS	-belgium
7	<palmangelsbutik.com>	PALM ANGELS	butik
8	<palmangels-chile.com>	PALM ANGELS	-chile
9	<palmangelschile.com>	PALM ANGELS	chile
10	<palmangels-colombia.com>	PALM ANGELS	-colombia
11	<palmangelscolombia.com>	PALM ANGELS	colombia
12	<palmangelscolombia.com.co>	PALM ANGELS	colombia
13	<palmangelsdenmark.com>	PALM ANGELS	denmark
14	<palmangelsdublin.com>	PALM ANGELS	dublin
15	<palmangelsenargentina.com>	PALM ANGELS	enargentina
16	<palmangelsenchile.com>	PALM ANGELS	enchile
17	<palmangelsenucuz.com>	PALM ANGELS	enucuz
18	<palmangelsgr.com>	PALM ANGELS	gr
19	<palmangels-greece.com>	PALM ANGELS	-greece
20	<palmangelsgreece.com>	PALM ANGELS	greece
21	<palmangelsgrstore.com>	PALM ANGELS	grstore
22	<palmangelshr.com>	PALM ANGELS	hr
23	<palmangelshrvatska.com>	PALM ANGELS	hrvatska
24	<palmangelshungary.com>	PALM ANGELS	hungary
25	<palmangelsindia.com>	PALM ANGELS	india
26	<palmangelsinportugal.com>	PALM ANGELS	portugal
27	<palmangels-ireland.com>	PALM ANGELS	-ireland
28	<palmangelsireland.com>	PALM ANGELS	ireland
29	<palmangelsisrael.com>	PALM ANGELS	israel
30	<palmangels-italia.com>	PALM ANGELS	-italia
31	<palmangelsjapan.com>	PALM ANGELS	japan
32	<palmangelsmajice.com>	PALM ANGELS	majice
33	<palmangelsmexico.com>	PALM ANGELS	mexico
34	<palmangelsnederland.com>	PALM ANGELS	nederland

35	<palmangelsnorge.com>	PALM ANGELS	norge
36	<palmangelsoriginal.com>	PALM ANGELS	original
37	<palmangelsoutletcanada.com>	PALM ANGELS	outletcanada
38	<palmangelsoutletchile.com>	PALM ANGELS	outletchile
39	<palmangelsoutletsouthafrica.com>	PALM ANGELS	outletsouthafrica
40	<palmangelspascher.com>	PALM ANGELS	pascher
41	<palmangelsph.com>	PALM ANGELS	ph
42	<palmangels-philippines.com>	PALM ANGELS	-philippines
43	<palmangelspolska.com>	PALM ANGELS	polska
44	<palmangelsportugal.com>	PALM ANGELS	portugal
45	<palmangels-romania.com>	PALM ANGELS	-romania
46	<palmangelsromania.com>	PALM ANGELS	romania
47	<palmangelsaudiatarabia.com>	PALM ANGELS	saudiatarabia
48	<palmangelscontate.com>	PALM ANGELS	contate
49	<palmangels-slovenija.com>	PALM ANGELS	-slovenija
50	<palmangelslovenija.com>	PALM ANGELS	slovenija
51	<palmangelslovensko.com>	PALM ANGELS	slovensko
52	<palmangels-southafrica.com>	PALM ANGELS	-southafrica
53	<palmangelsouthafrica.com>	PALM ANGELS	southafrica
54	<palmangels-srbija.com>	PALM ANGELS	srbija
55	<palmangels-sverige.com>	PALM ANGELS	sverige
56	<palmangelstop.com>	PALM ANGELS	top
57	<palmangelstrening.com>	PALM ANGELS	trening
58	<palmangels-turkiye.com>	PALM ANGELS	-turkiye
59	<palmangelsturkiye.com>	PALM ANGELS	turkiye
60	<palmangelsuae.com>	PALM ANGELS	uae

The Complainant provided very extensive and sufficient evidence to support consolidation of the Respondents into one proceeding based on its Complaint, its amendment to the Complaint, and the information available in the record.

In order to highlight the commonalities amongst the 60 (sixty) Domain Names involved in this proceeding, the Complainant gathered them in different groups (A, A1, A2, B, C, D, E, and F) and then found cross-relationships between the use of the Domain Names in each group. The Complainant states that these groups share commonalities like the same Registrar(s), the same name server(s) and the Registrants' countries indicated in the Whois records, and etc. as shown in the explanation below. The Complainant has also separated the recurring commonalities in those concerning the Domain Names (Part A) and those concerning the websites to which the Domain Names redirect (Part B).

In support of the Complainant's inference, the Complainant highlights the following circumstances:

Part A: Recurring Commonalities concerning the Domain Names:

- i. the Domain Names <palmangellojas.com>, <palmangels-chile.com>, <palmangelsenargentina.com>, <palmangelsindia.com>, <palmangelsphilippines.com>, <palmangels-turkiye.com>, <palmangelsargentinaonline.com>, <palmangelsbaratas.com>, <palmangelsbutik.com>, <palmangelsenchile.com>, <palmangelsenucuz.com>, <palmangelsgrstore.com>, <palmangelsoutletsouthafrica.com>, <palmangelspolska.com>, <palmangelscontate.com>, <palmangelstrening.com>, <palmangelscolombia.com>, <palmangelshrvatska.com>, <palmangels-ireland.com>, <palmangels-italia.com>, <palmangelsjapan.com>, <palmangelsportugal.com>, <palmangelsaudiatarabia.com>, <palmangelslovenija.com>, <palmangels-colombia.com>, <palmangelsdublin.com>, <palmangelsgr.com>, <palmangelsshr.com>, <palmangelsinportugal.com>, <palmangelsoutletchile.com>, <palmangels-belgium.com>, <palmangelsromania.com>, <palmangelsgreece.com>, <palmangelsnorge.com>,

- <palmangelsdenmark.com>, <palmangelssverige.com>, <palmangelsireland.com>, <palmangelsph.com>, <palmangelsmexico.com>, <palmangelshungary.com>, <palmangelsnederland.com>, and <palmangels-southafrica.com> (Group A) are registered anonymously in the public Whois records, via the same Registrar (Alibaba.com Singapore E-Commerce Private Limited) and share the same name servers;
- ii. the Domain Names <palmangellojas.com>, <palmangels-chile.com>, <palmangelsenargentina.com>, <palmangelsindia.com>, <palmangelsphilippines.com>, <palmangels-turkiye.com>, <palmangelsargentinaonline.com>, <palmangelsbaratas.com>, <palmangelsbutik.com>, <palmangelsenchile.com>, <palmangelsenucuz.com>, <palmangelsgrstore.com>, <palmangelsoutletsouthafrica.com>, <palmangelspolaska.com>, <palmangelsscontate.com>, <palmangelstrening.com>, <palmangelscolombia.com>, <palmangelshrvatska.com>, <palmangels-ireland.com>, <palmangels-italia.com>, <palmangelsjapan.com>, <palmangelsportugal.com>, <palmangels-saudi-arabia.com>, <palmangels-slovenija.com>, <palmangels-colombia.com>, <palmangelsdublin.com>, <palmangelsgr.com>, <palmangels-belgium.com>, <palmangelsromania.com>, <palmangelsgreece.com>, <palmangelsnorge.com>, <palmangelsdenmark.com>, <palmangelssverige.com>, <palmangelsireland.com>, <palmangelsph.com>, <palmangelsmexico.com>, <palmangelshungary.com>, <palmangelsnederland.com>, and <palmangels-southafrica.com> (Group A1), according to the information disclosed by the concerned Registrar Alibaba.com Singapore E-Commerce Private Limited are all registered in the name of “Web Commerce Communications Limited, Client Care”, sharing the same email address [...]@webnic.cc, the same postal address, and the same phone number;
- iii. the Domain Names <palmangelshr.com>, <palmangelsinportugal.com>, and <palmangelsoutletchile.com> (Group A2), according to the information disclosed by the concerned Registrar Alibaba.com Singapore E-Commerce Private Limited) are all registered in the name of “ZhouRunFa”, sharing the same email address [...]@163.com, the same postal address, and the same phone number;
- iv. the Domain Names <palmangels-greece.com>, <palmangelsmajice.com>, <palmangels-slovenija.com>, and <palmangelstop.com> (Group B) are registered via the same Registrar (Web Commerce Communications Limited dba WebNic.cc), are formally registered according to the public Whois records in the name of the same shield company (Domain Admin, Whoisprotection.cc), sharing the same name servers of the Group A and have been all registered on the same date (October 17, 2022), as evidenced in Annex 1 to the original Complaint;
- v. the Domain Names <palmangelsargentina.com>, <palmangelssouthafrica.com>, and <palmangelsturkiye.com> (Group C) are registered via the same Registrar (Dynadot LLC), are formally registered according to the public Whois records in the name of the same shield company (Dynadot Privacy Service), sharing the same name servers, have been all registered on the same date (October 14, 2022), and, according to the information disclosed by the concerned Registrars are all registered in the name of “ming dian”, sharing the same email address [...]@189.cn, the same postal address, and the same phone number;
- vi. the Domain Names <palmangels-romania.com>, and <palmangelsuae.com> (Group D) are registered via the same Registrar (OwnRegistrar, Inc.), are formally registered according to the public Whois records in the name of the same shield company (WhoisSecure), sharing the same name servers, have been both registered on the same date (October 15, 2022), are both registered in the name of “Whois Privacy Protection Foundation, Hosting Concepts BV d/b/a Registrar.eu”, sharing the same email address [...]@openprovider.nl, the same postal address, and the same phone number;
- vii. the Domain Names <palmangelsalennus.com>, <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelspascher.com>, <palmangels-slovensko.com>, <palmangelsisrael.com>, and <palmangels-srbija.com> (Group E) are registered via the same

Registrar (NETIM SARL), sharing the same name servers, and the Respondents' country indicated in the Whois records of all the seven Domain Names is Germany;

- viii. the Domain Name <palmangelscolombia.com.co> (Group F) is concerned, despite being registered via a different Registrar as indicated above, it shares the same Registrants' Country of the Domain Names of the Group E indicated at paragraph vii. above, *i.e.*, Germany;
- ix. all the Domain Names were registered in a short period, between October 12, 2022 and October 29, 2022;
- x. the close similarity amongst the Domain Names, which all incorporate the mark PALM ANGELS in its entirety (except for <palmangellojas.com> as noted by the Panel) with the mere addition of a generic, descriptive or geographical term (referred to a country or to a country code and/or to online sale and/or to products related to the Complainant's core business, as better detailed *infra*) and are mostly registered in the same Top-Level Domain ("TLD"), namely ".com";
- xi. according to the public records, all the Domain Names share the same hosting provider, Fibergrid;
- xii. the Domain Names <palmangelstop.com>, <palmangels-slovenija.com>, <palmangelsmajice.com>, <palmangels-greece.com> (Group B); <palmangelscolombia.com.co> (Group F); <palmangelsalennus.com>, <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelspascher.com>, and <palmangelssslovensko.com> (Group E) are concerned, email addresses which are all based on "@yeah.net" are published in the Whois records as disclosed by the concerned Registrars to the Center;
- xiii. the Domain Names <palmangelshr.com>, <palmangelsinportugal.com>, <palmangelsoutletchile.com> (Group A2); <palmangelsisrael.com>, and <palmangelsrbija.com> (Group E) are concerned, email addresses which are all based on "@163.com" are published in the Whois records as disclosed by the concerned Registrars to the Center;
- xiv. the Domain Names <palmangelsargentina.com>, <palmangelssouthafrica.com>, and <palmangelsturkiye.com> (Group C); <palmangelschile.com> (not included in any group); <palmangelshr.com>, <palmangelsinportugal.com>, and <palmangelsoutletchile.com> (Group A2) are concerned, according to the information disclosed by the concerned Registrars, they are all registered in the name of individuals based in China;
- xv. the Domain Names <palmangelstop.com>, <palmangels-slovenija.com>, <palmangelsmajice.com>, and <palmangels-greece.com> (Group B); <palmangelscolombia.com.co> (Group F); <palmangelsalennus.com>, <palmangelsisrael.com>, <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelspascher.com>, <palmangelssslovensko.com>, and <palmangelsrbija.com> (Group E) are concerned, according to the information disclosed by the concerned Registrars, they are all registered in the name of individuals based in Germany;
- xvi. as far as the Domain Names <palmangelstop.com>, <palmangels-slovenija.com>, <palmangelsmajice.com>, and <palmangels-greece.com> (Group B); <palmangelscolombia.com.co> (Group F); <palmangelsalennus.com>, <palmangelsisrael.com>, <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelspascher.com>, <palmangelssslovensko.com>, and <palmangelsrbija.com> (Group E); and <palmangelschile.com> (not included in any group) are concerned, according to the information disclosed by the concerned Registrars for all the 13 Domain Names having fictitious contact details, and in particular inaccurate postal addresses.

Part B: Recurring Commonalities concerning the Websites to which the Domain Names Redirect:

- i. all the Domain Names have been used for the same purpose. In particular, the Domain Names, since their registration, have been used in connection with substantially identical websites, with very similar

layout, and using the initial letter of the Complainant's figurative mark as favicon, all publishing the PALM ANGELS trademark, and the Complainant's official advertising images and offering for sale purported PALM ANGELS branded products at discounted prices;

- ii. as far as the Domain Names <palmangelojas.com>, <palmangels-chile.com>, <palmangelsenargentina.com>, <palmangelsindia.com>, <palmangelsphilippines.com>, and <palmangels-turkiye.com> (Group A1); <palmangelsgreece.com>, <palmangelsmajice.com>, <palmangels-slovenija.com>, and <palmangelstop.com> (Group B); and <palmangelscolombia.com.co> (Group F) are concerned, despite the Domain Names have been registered via different Registrars as indicated above, all the 11 Domain Names are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;
- iii. as far as the Domain Names <palmangelsargentinaonline.com>, <palmangelsbaratas.com>, <palmangelsbutik.com>, <palmangelsenchile.com>, <palmangelsenucuz.com>, <palmangelsgrstore.com>, <palmangelsoutletsouthafrica.com>, <palmangelspolska.com>, <palmangelscontate.com>, and <palmangelstrening.com> (Group A1); <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelspascher.com>, <palmangelsalennus.com>, and <palmangels-slovensko.com> (Group E) are concerned, despite the Domain Names have been registered via different Registrars as indicated above, all the 15 Domain Names are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same image taken from the Complainant's official advertising campaigns on the homepage;
- iv. as far as the Domain Names <palmangelschile.com> (not included in any group); <palmangelshrvatska.com>, <palmangels-ireland.com>, <palmangelsitalia.com>, <palmangelsjapan.com>, <palmangelsportugal.com>, <palmangels-saudi-arabia.com>, and <palmangels-slovenija.com> (Group A1); <palmangelsargentina.com>, <palmangels-southafrica.com>, and <palmangelsturkiye.com> (Group C); <palmangels-romania.com>, and <palmangelsuae.com> (Group D); <palmangelsisrael.com>, and <palmangels-srbija.com> (Group E); and <palmangelscolombia.com> (Group F) are concerned, despite the Domain Names have been registered via different Registrars as indicated above, all the 16 Domain Names are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same image of a Complainant's fashion show on the homepage;
- v. as far as the Domain Names <palmangels-colombia.com>, <palmangelsdublin.com>, and <palmangelsgr.com> (Group A1); <palmangelsshr.com>, <palmangelsinportugal.com>, and <palmangelsoutletchile.com> (Group A2) are concerned, all the six Domain Names are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;
- vi. the Domain Names <palmangels-belgium.com>, and <palmangelsromania.com> (Group A1) are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;
- vii. the Domain Names <palmangelsgreece.com>, and <palmangels-norge.com> (Group A1) are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;
- viii. the Domain Names <palmangelsdenmark.com>, and <palmangels-sverige.com> (Group A1) are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;



- ix. the Domain Names <palmangelsph.com>, and <palmangelsmexico.com> (Group A1) are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;
- x. the Domain Names <palmangelshungary.com>, and <palmangelsnederland.com> (Group A1) are pointing to active websites which are substantially identical, publishing PALM ANGELS trademarks and the very same images taken from the Complainant's official advertising campaigns on the homepage;
- xi. as far as <palmangels-slovenija.com> (Group B) and <palmangelssslovenija.com> (Group A1) are concerned, despite the Domain Names have been registered via different Registrars as indicated above, in the internal sections "O Nas" ("About us") and "Varstvo Podatkov" ("Data protection") of the websites, the very same texts are published, as evidenced at the URLs  
"https://www.palmangels-slovenija.com/privacy.html" and  
"https://www.palmangelssslovenija.com/privacy.html" and  
"https://www.palmangels-slovenija.com/about\_us.html" and  
"https://www.palmangelssslovenija.com/about\_us.html";
- xii. as far as <palmangelstrening.com>, and <palmangelsromania.com> (Group A1); and <palmangels-romania.com> (Group D) are concerned, despite the fact that the Domain Names have been registered via different Registrars and redirect to websites where different images - taken from the Complainant's official advertising campaigns - are published on the homepage, in the section "Declaratia De Confidentialitate" ("Privacy Statement"), the same postal address is published and in the sections "Despre Noi" ("About us") and "Declaratia De Confidentialitate" ("Privacy Statement") the very same texts are published, as evidenced at the URLs  
"https://www.palmangelsromania.com/privacy.html",  
"https://www.palmangels-romania.com/privacy.html" and  
"https://www.palmangelstrening.com/privacy.html" and  
"https://www.palmangelsromania.com/about\_us.html",  
"https://www.palmangelstrening.com/about\_us.html" and  
"https://www.palmangels-romania.com/about\_us.html";
- xiii. as far as <palmangelsbutik.com>, and <palmangelsdenmark.com> (Group A1) are concerned, in the section "Om Os" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangelsdenmark.com/about\_us.html" and  
"https://www.palmangelsbutik.com/about\_us.html";
- xiv. as far as <palmangelsgrstore.com>, <palmangelsgreece.com>, and <palmangelsgr.com> (Group A1), and <palmangels-greece.com> (Group B) are concerned, in the section "Σχετικά Με Εμάς" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangelsgrstore.com/about\_us.html",  
"https://www.palmangelsgreece.com/about\_us.html",  
"https://www.palmangels-greece.com/about\_us.html" and  
"https://www.palmangelsgr.com/about\_us.html";
- xv. as far as <palmangelsnederland.com> and <palmangels-belgium.com> (Group A1) are concerned, in the section "Over Ons" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangelsnederland.com/about\_us.html" and  
"https://www.palmangels-belgium.com/about\_us.html";
- xvi. as far as <palmangelshrvatska.com> (Group A1); <palmangelshr.com> (Group A2); and <palmangelsrbija.com> (Group E) are concerned, despite the fact that the Domain Names have been registered via different Registrars, in the section "O Nama" ("About us"), the very same texts are published, as evidenced at the URLs "https://www.palmangelshrvatska.com/about\_us.html",  
"https://www.palmangelsrbija.com/about\_us.html" and

- "https://www.palmangelshr.com/about\_us.html";
- xvii. as far as <palmangelojas.com>, and <palmangelsportugal.com> (Group A1); and <palmangelsinportugal.com> (Group A2) are concerned, in the section "Sobre Nós" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangelojas.com/about\_us.html",  
"https://www.palmangelsinportugal.com/about\_us.html" and  
"https://www.palmangelsportugal.com/about\_us.html";
- xviii. as far as <palmangels-italia.com>, and <palmangelscontate.com> (Group A1) are concerned, in the section "Chi Siamo" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangels-italia.com/about\_us.html" and  
"https://www.palmangelscontate.com/about\_us.html";
- xix. as far as <palmangels-turkiye.com> and <palmangelsenucuz.com> (Group A1) are concerned, in the section "Hakkımızda" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangels-turkiye.com/about\_us.html" and  
"https://www.palmangelsenucuz.com/about\_us.html";
- xx. as far as <palmangelsmajice.com> (Group B); and <palmangelshrvatska.com> (Group A1) are concerned, despite the fact that the Domain Names have been registered via different Registrars, in the section "O Nama" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangelsmajice.com/about\_us.html" and  
"https://www.palmangelshrvatska.com/about\_us.html";
- xxi. as far as <palmangels-chile.com>, <palmangelsenargentina.com>, <palmangelsargentinaonline.com>, <palmangelsbaratas.com>, <palmangelsenchile.com>, <palmangelscolombia.com>, and <palmangels-colombia.com> (Group A1); <palmangelsoutletchile.com> (Group A2); <palmangelscolombia.com.co> (Group F); <palmangelsargentina.com> (Group C); and <palmangelschile.com> (not included in any group) are concerned, despite the fact that the Domain Names have been registered via different Registrars, in the section "Sobre Nosotros" ("About us"), the very same texts are published, as evidenced at the URLs  
"https://www.palmangels-chile.com/about\_us.html",  
"https://www.palmangelscolombia.com.co/about\_us.html",  
"https://www.palmangelsenargentina.com/about\_us.html",  
"https://www.palmangelsargentinaonline.com/about\_us.html",  
"https://www.palmangelsbaratas.com/about\_us.html",  
"https://www.palmangelsenchile.com/about\_us.html",  
"https://www.palmangelsargentina.com/about\_us.html",  
"https://www.palmangelschile.com/about\_us.html",  
"https://www.palmangelscolombia.com/about\_us.html", https://www.palmangels-colombia.com/about\_us.html" and "https://www.palmangelsoutletchile.com/about\_us.html";
- xxii. as far as <palmangels-philippines.com>, <palmangelsindia.com>, <palmangelsoutletsouthafrica.com>, <palmangels-ireland.com>, <palmangelsaudiaraabia.com>, <palmangelsdublin.com>, <palmangelsouthafrica.com>, <palmangelsph.com>, and <palmangelsireland.com> (Group A1); <palmangelstop.com> (Group B); <palmangelsouthafrica.com> (Group C); <palmangelsoutletcanada.com>, and <palmangelsisrael.com> (Group E); and <palmangelsuae.com> (Group D) are concerned, despite the fact that the Domain Names have been registered via different Registrars, in the section "About US" the very same texts are published, as evidenced at the URLs  
"https://www.palmangelsphilippines.com/about\_us.html",  
"https://www.palmangelstop.com/about\_us.html", "https://www.palmangelsindia.com/about\_us.html",  
"https://www.palmangelsoutletcanada.com/about\_us.html",  
"https://www.palmangelsoutletsouthafrica.com/about\_us.html",

“https://www.palmangels-ireland.com/about\_us.html”,  
“https://www.palmangelsisrael.com/about\_us.html”,  
“https://www.palmangelsaudiarabia.com/about\_us.html”,  
“https://www.palmangelsouthafrica.com/about\_us.html”,  
“https://www.palmangelsuae.com/about\_us.html”, “https://www.palmangelsdublin.com/about\_us.html”,  
“https://www.palmangelsouthafrica.com/about\_us.html”,  
“https://www.palmangelsph.com/about\_us.html” and  
“https://www.palmangelsireland.com/about\_us.html”;

xxiii. The same products are advertised and offered for sale on the websites to which the Domain Names resolve, using images taken from the Complainant’s website.

In light of all the information related above, despite the different names and contact details used by the Respondents, the Complainant argues that the present one is a clear case where the Domain Names are under the actual control of a single individual or entity or, at least, reflective of a group of individuals acting in concert. Accordingly, the Complainant requests that the Panel, as ruled in prior decisions issued under the Policy, consolidate the Domain Names according to the Rules, paragraph 3(c) and 10(e).

### **Decision on Consolidation**

The Panel is of the view that the Complainant has provided evidence referred to above to substantiate its case that the Respondents are somehow connected to each other, and the Domain Names are under common control aimed at intentionally infringing the Complainant’s marks and harming consumers.

None of these statements made in the Complaint or its evidence has been challenged by the Respondents. In these circumstances, the Panel accepts the Complainant’s statements that the Domain Names are subject to common control. The Complainant has provided detailed evidence related to the Domain Names and the connections between them, as outlined above. The Respondents have provided no evidence in response to that put forward by the Complainant.

The Panel also finds that the consolidation of these disputes would be fair and equitable. On the Complainant’s evidence, and as described further below, all of the Domain Names appear to have been registered with a similar purpose in mind. There is a commonality of facts and issues for each Domain Name. As such, it is more procedurally efficient to proceed with a single decision.

For these reasons, the Panel agrees to the consolidation of the Complaint in relation to each of the Domain Names.

### **6.2 Substantive Issues**

Paragraph 4(a) of the Policy provides that the Complainant must prove each of the following elements with respect to each disputed domain name:

- (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.

The burden of proof of each element is borne by the Complainant. The Respondent’s default does not by itself mean that the Complainant is deemed to have prevailed. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.3.

## 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 3.0](#), section 1.7.

Based on the available record, the Panel finds 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.

All the Domain Names (except for <palmangellojas.com>) entirely reproduce the Complainant's trademark PALM ANGELS with the mere addition of three different categories of terms as described below:

- (i) additional elements, mostly referring to countries or cities, such as "chile", "colombia", "argentina", "greece", "india", "philippines", "slovenija", "turkiye", "canada", "south africa", "polska", "slovensko", "hrvatska", "ireland", "israel", "italia", "japan", "portugal", "romania", "saudi arabia", "slovenija", "srbija" (a misspelling of Srbija), "dublin", "belgium", "norge", "denmark", "sverige", "mexico", "hungary", and "netherlands"; and/or a combination of letters which may be interpreted as a country code, such as "gr", "hr", "uae" and "ph";
- (ii) additional elements for prepositions, such as "en" and "in";
- (iii) additional elements related to online sale, such as "butik" (boutiques), "alennus" (discount), "enucuz" (cheapest), "pascher" (cheap), "scontate" (disclouted), "store", and "outlet" (descriptive of locations where consumers can shop for brand name items);
- (iv) additional elements related to the Complainant's core businesses, such as "majice" (t-shirt), "trening" (gym suits), and "top".

The Domain Name <palmangellojas.com> incorporates a misspelled version of the Complainant's mark PALM ANGELS (omitting "s") with an additional term "lojas" (stores).

The Panel finds the PALM ANGELS mark is recognizable within all the Domain Names. Accordingly, the Domain Names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of the terms mentioned above may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel accordingly finds that all the Domain Names are confusingly similar to the PALM ANGELS trademark in which the Complainant has rights, and that paragraph 4(a)(i) of the Policy is satisfied.

## B. Rights or Legitimate Interests

The Panel concludes that the Respondents have no rights or legitimate interests in the Domain Names. A respondent may have rights or legitimate interests in a disputed domain name if the respondent was commonly known by the domain name, or if the respondent's use, prior to notice of the dispute, was in connection with a *bona fide* offering of goods or services.

In this case, the Respondents are in default and have therefore provided no evidence that they are commonly known by the Domain Names.

According to the Complaint, the Respondents have used the Domain Names to resolve to websites featuring the Complainant's trademark PALM ANGELS and images taken from the Complainant's official advertising campaigns and offering for sale purported PALM ANGELS branded products at discounted prices. The

websites do not prominently and accurately disclose the relationship between the Respondents and the Complainant.

The Complaint contains screenshots of the content of the Domain Names convincingly evidencing that fact. The Respondents have not denied these assertions of the Complainant which would be expected from a *bona fide* service provider. Thus there is no evidenced *bona fide* or fair use of the Domain Names.

Consequently, the Panel concludes that the Respondents have not rebutted the Complainant's *prima facie* case. Therefore, the Complainant has established that the Respondents have no rights or legitimate interests in the Domain Names, and the requirements of paragraph 4(a)(ii) of the Policy are met.

### **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.

The Panel considers that the record of this case reflects that:

- The Complainant is the owner of trademark registrations for PALM ANGELS, which predate the registration of the Domain Names for several years.
- The Respondents registered a total of 60 (sixty) Domain Names containing the trademark of the Complainant (including one Domain Name which incorporates a misspelled version of the Complainant's mark) with the addition of mainly dictionary or geographic terms as explained above.
- All the Domain Names were registered during the month of October 2022.
- The Domain Names resolve to websites featuring the Complainant's trademark PALM ANGELS and images taken from the Complainant's official advertising campaigns, and offering for sale purported PALM ANGELS branded products at discounted prices.
- The Respondents have used multiple identities and false and incomplete contact information to conceal their activities, and to continue possibly their fraudulent scheme through the websites associated with the Domain Names.

The Panel considers that the record of this case reflects that the Respondents have registered the Domain Names to intentionally attempt to attract, for commercial gain, Internet users to their websites by creating a likelihood of confusion with the Complainant's mark. Paragraph 4(b)(iv) of the Policy, and [WIPO Overview 3.0](#), section 3.1.4.

Consequently, the Panel concludes that the Domain Names were registered, and are being used in bad faith, and the requirements of paragraph 4(a)(iii) of the Policy are met.

### **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 Domain Names <palmangelojas.com>, <palmangelsalennus.com>, <palmangelsargentina.com>, <palmangelsargentinaonline.com>, <palmangelsbaratas.com>, <palmangels-belgium.com>, <palmangelsbutik.com>, <palmangels-chile.com>, <palmangelschile.com>, <palmangels-colombia.com>, <palmangelscolombia.com>, <palmangelscolombia.com.co>, <palmangelsdenmark.com>, <palmangelsdublin.com>, <palmangelsenargentina.com>, <palmangelsenchile.com>, <palmangelsenucuz.com>, <palmangelsgr.com>, <palmangels-greece.com>, <palmangelsgreece.com>, <palmangelsgrstore.com>, <palmangelsshr.com>, <palmangelsshrivatska.com>,

<palmangelshungary.com>, <palmangelsindia.com>, <palmangelsinportugal.com>, <palmangels-ireland.com>, <palmangelsireland.com>, <palmangelsisrael.com>, <palmangels-italia.com>, <palmangelsjapan.com>, <palmangelsmajice.com>, <palmangelsmexico.com>, <palmangelsnederland.com>, <palmangelsnorve.com>, <palmangelsoriginal.com>, <palmangelsoutletcanada.com>, <palmangelsoutletchile.com>, <palmangelsoutletsouthafrica.com>, <palmangelspascher.com>, <palmangelsph.com>, <palmangels-philippines.com>, <palmangelspolska.com>, <palmangelsportugal.com>, <palmangels-romania.com>, <palmangelsromania.com>, <palmangelssaudiarabia.com>, <palmangelsscontate.com>, <palmangels-slovenija.com>, <palmangelsslovenija.com>, <palmangelsslovensko.com>, <palmangels-southafrica.com>, <palmangelssouthafrica.com>, <palmangelssrbija.com>, <palmangelssverige.com>, <palmangelstop.com>, <palmangelstrening.com>, <palmangels-turkiye.com>, <palmangelsturkiye.com>, and <palmangelsuae.com> be transferred to the Complainant.

*/Pablo A. Palazzi/*

**Pablo A. Palazzi**

Sole Panelist

Date: May 19, 2023