

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2026-0019

Also in PDF C2026-0019

1. The Complainant

The Complainant is Etsy, Inc. (Delaware Corporation), having its office at 117 Adams Street, Brooklyn, New York, 11201, United States of America. The Complainant has initiated the complaint via their authorized representative, IRFAN & IRFAN Attorneys at Law, having their office at 85, The Mall, Lahore, Pakistan.

2. The Domain Name and Respondent

The domain name upon which the Complaint is based upon is <[etsystore.pk](#)>, is hereinafter referred to as the Disputed Domain Name [DDN].

PKNIC has informed DNDRC that the DDN is registered by Tariq Abbasi with the contact name unknown, with their address at Adil Town Street 04, Bahawalpur and that the email address provided at the time of registration of the DDN is tariq.abbasi03@gmail.com.

3. Procedural History

DNDRC was informed of the Complaint against the Respondent in accordance with the PKNIC - Internet Domain Registration Policy upon receiving notification from the Complainant on 4 April 2026. An administrative review of the Complaint was conducted and completed on the same day, following which the Complainant was notified of the compliance review's completion and the subsequent procedural requirements on the same day, as well.

Upon the Complainant's fulfillment of the procedural requirements on 28 April 2026, DNDRC formally requested the Respondent's registration details from PKNIC on 31 April 2026. PKNIC provided the requested details on 1 May 2026.

DNDRC issued a formal notification of the dispute to the Respondent on 2 May 2026, enclosing a copy of the Complaint and a Response Form, informing the Respondent that failure to submit a Response within 10 days would result in the dispute proceeding ex parte.

The Complaint along with all relevant material was referred to the appointed panelist for review and decision on 15 June 2026. The panelist completed the review and issued a decision on 08 July 2026. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 09 July 2026.

Applying Paragraph 4(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the *Rules*), DNDRC appointed Mr. Ardavan D. Solan as the sole panelist who has verified that the Complaint satisfies the formal requirements of the Policy and the Rules.

Factual Background

4. Parties Contentions

(a) Complainant

The Complainant's brief contentions are reproduced below:

The Complainant

1. *The Complainant owns and operates a global marketplace for unique and creative goods (hereinafter referred to as "Etsy marketplace") which is accessible and available at <https://www.etsy.com/> (and related apps), using the trade name and trademark ETSY and the ETSY logo (depicted hereunder), which was used as early as the year 2005.*



2. *The Etsy marketplace is one of the most popular websites in the world and, at any given time, the Etsy platform contains over 100 million listings that are crafted and curated by Complainant's creative sellers from around the world including from Pakistan. Printout of the homepage of www.etsy.com is attached herewith as Exhibit D.*

3. *The Complainant has invested a substantial amount of time, effort, and money in advertising and promoting its trademarks ETSY and Etsy Information about some of the Complainant's advertising and promotional efforts is attached herewith as Exhibit E*
4. *The Complainant has received substantial unsolicited media attention from well-known publishers such as the Wall Street Journal. Copies of some of the publications available to the general public are attached herewith as Exhibit F.*
5. *As a result of Complainant's extensive advertising and promotional efforts and commercial success, as well as the amount, volume, and geographic extent of sales made under the trademarks ETSY and Etsy, the trademarks ETSY and Etsy have achieved widespread recognition and have developed enormous goodwill worldwide, and such goodwill and reputation also extends to Pakistan.*
6. *In order to protect its rights and interests in its trademarks ETSY and Etsy, the Complainant has obtained trademark registrations in various jurisdictions around the world, details of some of which have already been provided above.*
7. *That the trademarks ETSY and Etsy enjoy substantial reputation and goodwill in Pakistan through extensive use of the Etsy marketplace in Pakistan*

Details of Pakistani orders made through the Etsy marketplace between the years 2014 and 2025 are attached as Exhibit G

8. *In view of the foregoing, it is submitted that the trademarks ETSY and Etsy have therefore attained the status of well-known and esteemed marks in Pakistan and are capable of protection under section 86 of the Trade Marks Ordinance, 2001.*

B. Respondent and Its Actions (UDRP Rule 3(b) (ix) (2); UDRP Policy 11 a(r) (ii)).

1. *The Disputed Domain Name namely, www.etsystore.pk, wholly incorporates the trade name and trademark ETSY of the Complainant and is confusingly similar to the Complainant's domain name www.etsy.com which it has been using since at least 2005, while the Respondent's domain name was registered on December 17, 2021, as per the PKNIC extract attached with this complaint as Exhibit A.*

2. *The Respondent registered the Disputed Domain Name without the Complainant's permission, consent or authorization and the Respondent is not and has never been associated or affiliated with the Complainant.*
3. *The Respondent is using the abovementioned Disputed Domain Name in connection with its online presence and is clearly trying to mislead the trade and general public into believing that the Respondent is in some manner connected or affiliated with the Complainant and is passing off its domain name www.etsystore.pk and its business conducted via the website as having been approved and/or licensed by the Complainant. The Respondent's online presence is, like Complainant's business, that of a marketplace. The Respondent has even mentioned the Complainant's trade name ETSY as well as made use of the ETSY logo on its website, thereby further trying to mislead the general public. The Respondent's website displays the ETSY name and trademarks in the same color and a similar font as those used by Complainant appending only the generic term "store":*



4. *The Respondent's website is a blatant imitation of the Complainant's website using an identical color ETSY, **Etsy** and is offering scheme, and similar design elements, as well as use of trademarks and identical and/or similar services. Attached to the complaint and marked as Exhibit H are pictures of the website of the Respondent*

Therefore, the Complainant seeks the following remedy:

In accordance with paragraph 4(i) of the UDRP Policy of October 24, 1999, read in conjunction with paragraph 25 of the PKNIC Policy Version 4.4 and for the reasons described in section 7 and 8 above, the Complainant requests the Registrar /Administrative Panel appointed in the administrative proceeding to issue a decision that the registration of the disputed domain name <www.etsystore.pk> be transferred to the Complainant.

(b) Respondent

The Respondent did not make a submission.

5. Jurisdiction

The Panel's jurisdiction over this dispute between the Complainant and the Respondent is established by virtue of the Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules.

The Respondent applied for and was granted registration of the DN on the basis of these regulations, and has submitted to, the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules and correspondingly to the arbitral jurisdiction of the DNDRC and its arbitration decisions.

6. Discussion and Findings

The decision of the dispute shall be addressed with respect to the following aspects:

- I. Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).
- II. Legitimate interest in the domain name (a UDRP criteria).
- III. Registration and use of the domain name in bad faith (a UDRP criteria).

I. Identical or confusing similarity to a trademark or service mark in which the Complainant has rights

The Complainant has made the following submissions:

- i. *The DDN (www.etsystore.pk) is identical or confusingly similar to the Complainant's well-known trademark ETSY as it wholly incorporates the ETSY mark and appends only the generic suffix "store.". See **PepsiCo. Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I) and EMS Computer Industry (a./k/a EMS)**, WIPO Case No. D2003-0696 (**Exhibit I-2**) ("incorporating a trademark in its entirety can be sufficient to establish that a domain name is identical or confusingly similar to a registered trademark").*
- ii. *The adoption and use of an (identical) imitated name **ETSY**, which is a coined term in English, in its domain name www.etsystore.pk by the Respondent is purposeful, dishonest and malafide and amounts to a misrepresentation made in the course of business to general public and customers of the Respondent which is calculated to injure and is likely to cause*

unquantifiable/irreparable damage to the reputation and goodwill of the Complainant, as the Respondent has adopted the Complainant's entire trademark "ETSY" which is the exclusive property of the Complainant for which the Complainant has exclusive proprietary rights, reputation and goodwill worldwide as well as in Pakistan, and which the Respondent cannot lawfully use in any manner whatsoever.

- iii. The Domain Name is confusingly similar to Complainant's registered trademark ETSY, incorporating the ETSY mark in its entirety as the primary term in the Domain Name and adding only the generic term "store," and the .pk ccTLD. The addition of this generic term does not sufficiently differentiate the Disputed Domain Name from the Complainant's trademark ETSY as it conveys the nature of the services of the Complainant. In the case **Shenzhen Baseus Technology Co. Ltd vs Raheel Idrees Case No. C2023-0005 (Exhibit I-3)** it was held that the disputed domain name (baseusstore.com.pk) is, in its main part, identical to the Complainant's trademark Baseus and that the addition of the generic name "store" does not avoid confusion (See **Prada S.A. v. ZONGMAO Wu Case No. D2025-4778 (WIPO) (Exhibit I-4)** where the Panel found that the addition of "store" and "outlet" does not prevent a finding of confusing similarity' between the disputed domain name and the mark for the purposes of the Policy'. It is established law to disregard the ccTLD when considering the matter of confusing similarity or obvious derivation as the addition of suffix ".pk" does not create any distinction that may eliminate the possibility of confusion by the Complainant's customers, as held in **Shenzhen Baseus Technology Co. Ltd vs Raheel Idrees Case No c2023-0005 (Exhibit I-3)** for the domain www.gmails.pk which was found to be similar to the trademark GMAIL of Google Inc.
- iv. It is respectfully submitted that the adoption and use of the imitated trademark "ETSY" in relation to its website www.etsystore.pk by Respondent is deceitful as there is no affiliation, permission, consent or license that has been granted by the Complainant to the Respondent for the use of Complainant's trademark ETSY.
- v. That, by using the imitated trademark ETSY in relation to its online marketplace, the Respondent is likely to falsely impress upon the innocent public and consumers that the Respondent has some kind of affiliation or connection with the Complainant. Such acts of infringement and violation of rights of Complainant by the Respondent are designed to cause confusion and deception amongst the general public and the customers in particular, who might have visited the Respondent's website in the belief that it has an affiliation or connection, will or license of Complainant and who associate the trademarks ETSY and **Etsy** exclusively with the Complainant. See **Rediff.com India Ltd. v. Daniyal Waseem DNDRC (Case No. C2009-0005) (Exhibit I-5)** where it was held that "Both under past

UDRP decisions (see for instance Nike, Inc. v, B.B. de Boer, WIPO Case No. D2000-1397 (Exhibit I-6); and Carolina Herrera Ltd, v Alberto Rincon Garcia, WIPO Case No. D2002-0806 (Exhibit I-7)) and under the Policy, a well established principle is that when someone registers a domain name. it represents and warrants to the registrar that, to its knowledge, the registration of the domain name will not infringe the rights of any third party. In the case at issue, the Panel reasonably finds that since the Complainant's marks are widely known, it is unlikely that the Respondent, at the time of registration of the disputed domain name or thereafter, was not aware that it was infringing the Complainant's marks."

The Respondent did not make a submission

The Complainant has established that it owns registered trademark rights in the mark ETSY in multiple jurisdictions. The Complainant also operates its principal website through the domain name etsy.com, reinforcing the association between the mark and the Complainant.

In assessing whether a domain name is identical or confusingly similar to the Complainant's trademark, the Panel applies the test set out in Section 1.7 of the WIPO Overview 3.0. This requires a side-by-side comparison of the disputed domain name and the trademark to determine whether the trademark is recognizable within the domain name. Where the disputed domain name incorporates the entirety of a trademark, or a dominant feature of it, this will normally be sufficient to establish confusing similarity.

Applying this test, the Panel finds that the DDN incorporates the Complainant's trademark ETSY in its entirety. The mark is immediately recognizable within the DDN, with the only additional element being the descriptive term "store".

As noted in Section 1.8 of the WIPO Overview 3.0, the addition of a descriptive or generic term such as "store" does not prevent a finding of confusing similarity where the complainant's trademark remains clearly recognizable within the domain name.

The Panel also notes that the country-code top-level domain ".pk" is a technical requirement of registration and, consistent with Section 1.11.1 of the WIPO Overview 3.0, is disregarded when assessing confusing similarity.

Accordingly, the Panel finds that the DDN is confusingly similar to the Complainant's trademark ETSY.

II. Legitimate interests in a domain name

As per paragraph 4(c), the UDRP requires the Respondent's claim to be of legitimate interest and shall be:

“proved based on all evidence presented” that “shall demonstrate” the Respondent's “rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii).”

Paragraph 4(c) states that:

“(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

The Complainant has made the following submissions:

- i. It is respectfully submitted that the Respondent has not obtained any permission or license from the Complainant for using the trademark **ETSY** as a domain name or otherwise, and the Respondent has no right to use the imitated trademark **ETSY** as a domain name, alone or with another word or words.*
- ii. Respondent lacks rights and legitimate interests in the Disputed Domain Name (www.etsystore.pk) because Respondent is not affiliated with the Complainant in any way, nor is Respondent licensed to use the trademark **ETSY**. In the case of Capital One Financial Corp. v. Ajay Kishin, FA1708001742880 (Forum Aug. 30, 2017) (**Exhibit I-8**) (citing Reese v. Morgan, FA0702000917029 (Forum Apr. 5, 2007)) (**Exhibit I-9**) it was established that respondent was not commonly known by the disputed domain name where no evidence in the record showed that respondent was commonly known by that name. including the WHOIS information and complainant's statement that it had not authorized respondent's use of its mark.*
- iii. Respondent's actions are not a bona fide offering of goods, nor is Respondent engaged in a legitimate non-commercial or fair use of the Disputed Domain Name (www.etsystore.pk). To*

the contrary, Respondent is using the Disputed Domain Name (www.etsystore.pk) to deceive consumers into believing that it is affiliated or licensed by the Complainant. Respondent is not only unduly exploiting Complainant's goodwill for Respondent's own financial gain, but also attempting to deceive and mislead the public into thinking that they are dealing with Complainant or a legitimate affiliate of Complainant..

The Respondent did not make a submission.

The Complainant submits that it has not authorized, licensed or otherwise permitted the Respondent to use the ETSY trademark in any manner, including as part of a domain name. The Complainant further contends that the Respondent is not affiliated with the Complainant, is not commonly known by the DDN, and is using the DDN to mislead consumers into believing that the website is affiliated with or endorsed by the Complainant. According to the Complainant, such use is neither a bona fide offering of goods or services nor a legitimate non-commercial or fair use of the DDN.

As recognized in Section 2.1 of the WIPO Overview 3.0, while the overall burden of proof under Paragraph 4(a)(ii) rests with the Complainant, requiring a complainant to prove the absence of any rights or legitimate interests would often require proof of matters peculiarly within the respondent's knowledge. Accordingly, where the complainant establishes a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating such rights or legitimate interests. Where the respondent fails to do so, the complainant is generally deemed to have satisfied the second element of the Policy.

The Panel finds that the Complainant has established such a prima facie case. The evidence demonstrates that the Respondent has not been authorized to use the ETSY trademark, and there is no evidence before the Panel that the Respondent has been commonly known by the DDN or has acquired any independent rights in it.

Furthermore, the evidence submitted by the Complainant shows that the website to which the DDN resolves prominently displays the Complainant's ETSY logo and adopts a design, colour scheme and overall presentation closely resembling the Complainant's official website, with only minor additions such as the words "STORE" and "Online Shopping in Pakistan". Such use indicates that the Respondent was aware of the Complainant and deliberately sought to create an association with the Complainant's well-known trademark. Previous UDRP panels have consistently regarded such conduct as evidence that a respondent is attempting to falsely suggest an affiliation with the trademark owner rather than making a bona fide offering of goods or services (see *Coolmath.com LLC v. Domains by Proxy, LLC / Kenan Yazici, Cenebaz.com*, WIPO Case No. D2018-2102).

The Panel further considers that the Respondent's use of the DDN is calculated to attract internet users by creating the false impression that the website is operated, authorized or endorsed by the Complainant. Such conduct is inconsistent with a bona fide offering of goods or services and cannot constitute legitimate non-commercial or fair use within the meaning of paragraph 4(c)(iii) of the Policy (see Section 2.5.2 of the WIPO Overview 3.0; Adam Anshel v. Domains By Proxy, LLC / Tzvi Milshtein, WIPO Case No. D2015-1570).

In the absence of any Response or evidence rebutting the Complainant's prima facie case, the Panel concludes that the Respondent has no rights or legitimate interests in the DDN. Accordingly, the Complainant has satisfied the requirement of paragraph 4(a)(ii) of the Policy.

III. Registration and use in bad faith

The Complainant has made the following submissions:

- i. The aforesaid adoption and use by the Respondent of the imitated trademark ETSY, a coined and well known trademark associated with an online marketplace, as the primary term of its domain name for an online marketplace is clearly willful and the Respondent has no justification or reason for adopting the imitated trademark ETSY as its domain name as there are many other choices open to it and it could have adopted or can even now adopt any other domain name. The use of the imitated trademark ETSY as a domain name by the Respondent is also likely to result in dilution of the exclusivity of Complainant's genuine trademark **ETSY** as well as is likely to result in the erosion of Complainant's reputation and goodwill.*
- ii. Respondent registered and is using the Disputed Domain Name in bad faith and with full knowledge of Complainant and its trademark **ETSY**, which has acquired substantial repute throughout the world including in Pakistan. Given the worldwide fame and recognition of the ETSY mark which extends to Pakistan and the fact that it is a coined term, the Disputed Domain Name could not have been chosen for any reason other than to unduly profit from the goodwill and reputation attached to Complainant's trademark ETSY.*
- iii. Furthermore, Panels regularly find bad faith when a Respondent registers and uses the domain name to disrupt the Complainant's business.*
- iv. Additionally, Respondent had actual knowledge of Complainant's trademark **ETSY** when registering the Disputed Domain Name, which is sufficient to constitute bad faith. In the case of Victoria's Secret Stores Brand Mgmt., Inc. v. Michael Bach, FA1201001426668 (Forum March 2, 2012) (**Exhibit I-10**) it was held that despite the Complainant not submitting*

*evidence indicating actual knowledge by Respondent of its rights in the trademark, the Panel found that, due to the fame of Complainant's mark, Respondent had actual notice at the time of the domain name registration and therefore registered the domain name in bad faith. Moreover, in the case of Bloomberg L.P. v Xuebao Wang, FA0012000096305 (Forum Feb. 12, 2001) (**Exhibit 1-11**) (citing Kraft Foods (Norway) v. Wide, WIPO case No. D2000-0911 (WIPO Sept.23,2000) (**Exhibit 1-12**) it was held that the Respondent choosing to register a well-known mark to which he had no connections or rights indicates that he was in bad faith when registering the domain name at issue. Therefore, Respondent had actual notice of the trademark **ETSY** and chose to use it to capitalize on Complainant's good will and reputation.*

The Respondent did not make a submission.

The Complainant asserts that the Respondent has registered and is using the DDN in bad faith, citing the unauthorized use of its trademark and logos.

The Panel is satisfied that the Respondent was aware of the Complainant and its trademark at the time of registration. The DDN wholly incorporates the coined trademark ETSY, while the associated website reproduces the Complainant's logo, branding and overall presentation. These circumstances make it implausible that the Respondent selected the DDN independently or without knowledge of the Complainant's rights.

The Panel further considers that paragraph 4(b) (iv) of the Policy; believing that the intention of creating a website that mimics the Complainant's trademark, incorporating it fully, indicating an effort to instill confidence amongst internet users and convince them that the Respondent is somehow affiliated with the Complainant. Coupled with the fact, that the Respondent chose to register a domain name that fully incorporates a well-known mark, to which it had no connection or rights, indicates an actual prior notice of the ETSY trademark and hence an aim to capitalize on the Complainant's goodwill and reputation. All of which points towards the Respondent's intent to unduly benefit from the Complainant's goodwill, and is indicative of bad faith, as established in (WIPO Case No. D2013-0091, *LEGO Juris A/S v. store24hour*; and WIPO Case No. D2000-0911, *Kraft Foods (Norway) v. Wide*).

Lastly, the website to which the DDN leads to, clearly incorporates the Complainant's brand, logo and colour scheme is done so, in order to appear closely similar to the Complainant's own website. Such actions may create confusion amongst internet users, as to the source, sponsorship, affiliation, or endorsement of the DDN with the Complainant. These circumstances, further point at, the DDN being used in bad faith by the Respondent (see WIPO Overview 3.0 Section 3.1) and (see WIPO Case No. D2015-0933, *Michael Patrick Lynch v. Steve Nicol (Stephen Joel Nicol)*).

Accordingly, the Panel concludes that the Respondent both; registered, and is using the DDN in bad faith.

7. Decision

Upon reviewing the contentions and supporting evidence submitted by the Complainant, the Panel finds that the Complainant has successfully established all elements required under the PKNIC - Internet Domain Registration Policy and the UDRP. The Panel recognizes that the “ETSY” mark is registered to the Complainant and the Respondent has no legitimate rights over it. Therefore, the continuous use of the DDN pertaining to the Complainant’s registered trademark could result in hindrance in exercise of the rights of the Complainant in the trademark and could also jeopardize the reputation of the Complainant by amounting to confusion regarding the ownership of the DDN.

Taking all the above discussions into consideration, the Panel concludes and decides that:

1. The DDN is confusingly similar to the registered trademark of the Complainant;
2. The Respondent has no legitimate interest in the DDN, and;
3. The DDN was registered and is being used in bad faith.

Pursuant to Section 4 of the Policy, the Panel, therefore, recommends that PKNIC transfer the registration of the DDN <etsystore.pk> to the Complainant, as prayed, within 48 hours of receipt of this decision either by email or through its publication on the official website where it will be uploaded, www.dndrc.com/cases_resolved/, whichever is earlier. The Complainant shall also be at liberty to contact PKNIC for implementation of this decision.

The Respondent may seek leave to appeal under Rule 17 of the [Supplemental Rules](#).

Ardavan D. Solan

Sole Panelist

Date: 9 July 2026