Panel Decision for dispute CAC-ADREU-008927

Case number	CAC-ADREU-008927
Time of filing	2026-06-01 14:01:13
Domain names	guineys.eu

Case administrator

Olga Slanařová (Case admin)

Complainant

Organization	Guineys

Respondent

Name	Anton Chris

INSERT INFORMATION ABOUT OTHER LEGAL PROCEEDINGS THE PANEL IS AWARE OF WHICH ARE PENDING OR DECIDED AND WHICH RELATE TO THE DISPUTED DOMAIN NAME

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

FACTUAL BACKGROUND

The Complainant is Michael Guiney Limited, an Irish private limited company incorporated on 4 June 1971 (CRO Registration Number 34465), with its registered office at 11-12 North Earl Street, Dublin 1, Ireland. The Complainant trades under the name "Guineys" and operates 13 retail stores across Ireland and Northern Ireland, a central warehouse, and an e-commerce website at www.guineys.ie. The company employs over 200 staff and has an annual turnover of approximately €24 million.

The Complainant is the registered proprietor of the following trademark:

- **Irish Trade Mark Registration No. 257021** for the mark "Get it at GUINEYS" (word and device), registered on 27 March 2017 and subsequently renewed, in Class 35 (retail services relating to clothing, fabrics, footwear, furnishings, furniture, and online retail store services).

The Complainant has also established extensive unregistered rights in the name "Guineys" through its registered company name under the Irish Companies Act 2014 and through over 50 years of continuous, well-known trading under the name "Guineys" throughout Ireland, Northern Ireland, and internationally.

The disputed domain name <guineys.eu> was registered by the Respondent. In January 2025, the Complainant became aware of an email account operating under the disputed domain name (info@guineys.eu), which was actively being used to impersonate the Complainant's business and real personnel at international trade fairs.

The Respondent failed to submit a response within the deadline specified under the ADR Rules.

A. COMPLAINANT

The Complainant contends that the disputed domain name is identical to a name in which the Complainant has established rights recognized by national and EU law, that the Respondent has no rights or legitimate interest in the disputed domain name, and that the Respondent's registration and use of the disputed domain name is in bad faith.

The Complainant requests, in accordance with Paragraph B1(b)(11) and B11(b) of the ADR Rules, that the disputed domain name <guineys.eu> be transferred to the Complainant.

B. RESPONDENT

No administratively compliant response has been filed.

DISCUSSION AND FINDINGS

In order for the Complaint to succeed, the Complainant must show that:

1. The disputed domain name is identical with or confusingly similar to a name in respect of which a right is established by Union or national law;
2. The disputed domain name has been registered by its holder without rights or legitimate interest in the name;
3. The disputed domain name has been registered or is being used in bad faith.

If the Complainant succeeds in this respect, in order to obtain a transfer of the disputed domain name, the Complainant must further satisfy the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517.

1. Identical or Confusing Similarity of the Disputed Domain Name

The Panel finds that the disputed domain name <guineys.eu> is identical to the dominant and distinctive element of the trademark "Get it at GUINEYS", in respect of which the Complainant has established prior rights recognized by national and EU law. Furthermore, it is identical to the Complainant's established unregistered trading name and company name "Guineys."

As regards the question of identity or confusing similarity, it is the panel's view that for assessing identity or confusing similarity, the .eu suffix has to be disregarded. Concerning the comparison, the panel's review consists of a direct comparison between the disputed domain name and the name for which a right is recognized or established ("CAC .EU Overview 2.0", Section III. 1).

The textual core of the disputed domain name is "guineys", which reproduces exactly the dominant text element of the Complainant's registered trademark and its entire corporate identity. Therefore, the Panel finds that the first condition is fully satisfied.

2. Legitimate Interest in the Disputed Domain Name

There is no evidence before the Panel to suggest that the Respondent has at any time used the disputed domain name, or a name corresponding to it, in connection with a bona fide offering of goods or services, or that the Respondent has made any demonstrable preparations to do so. Neither is there any indication that the Respondent is making legitimate non-commercial or fair use of the disputed domain name.

The evidence submitted by the Complainant demonstrates that the disputed domain name is actively being used as part of a fraudulent scheme to impersonate the Complainant's business. Specifically, the domain was configured to operate the email address info@guineys.eu, which was used alongside fabricated business cards at the Heimtex trade fair at Messe Frankfurt in January 2025. An unknown individual used these tools to pose as a genuine manager of the Complainant (David O'Brien) to illicitly secure credit orders from suppliers (such as Aoka Textiles) using the Complainant's commercial reputation.

The Panel accepts that the use of a domain name for the sole purpose of business impersonation and phishing/credit fraud cannot confer any rights or legitimate interests on a respondent. Furthermore, the Respondent is not affiliated with the Complainant, has not been authorized or licensed to use the "Guineys" mark, and the WHOIS data does not suggest that the Respondent is commonly known by the disputed domain name.

Against this background, and absent any response from the Respondent, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

3. Bad Faith Registration and Use

Paragraph B11(d)(1)(b) and B11(e) of the ADR Rules dictate that bad faith can be established where a domain name is intentionally used to create a likelihood of confusion for commercial gain or deceptive purposes.

The undisputed evidence shows that the Respondent selected and registered the domain name <guineys.eu> with full knowledge of the Complainant's well-known 50-year-old Irish retail business. The creation of email addresses designed to mimic the Complainant's legitimate <guineys.ie> domain, coupled with the distribution of physical fake business cards exploiting the Complainant's exact corporate details, logo, and employee names, demonstrates a highly coordinated effort to deceive third-party trade exhibitors.

The clear intent of this scheme was to exploit the Complainant's corporate creditworthiness to fraudulently obtain physical goods without payment. This constitutes an egregious manifestation of registration and use in bad faith.

4. The Complainant's Eligibility

The Complainant is an undertaking established in Ireland, with its registered place of business within the European Union, satisfying the general eligibility criteria set out in Article 3(c) of Regulation (EU) 2019/517. The Panel therefore finds that the Complainant is eligible to hold a .eu domain name.

DECISION

For all the foregoing reasons, in accordance with Paragraphs B12 (b) and (c) of the Rules, the Panel orders that the domain name <guineys.eu> be transferred to the Complainant

PANELISTS

Name	Konstantinos Komaitis

DATE OF PANEL DECISION 2026-06-01

Summary

ENGLISH SUMMARY OF THIS DECISION IS HEREBY ATTACHED AS ANNEX 1

I. Disputed domain name: [guineys.eu]

II. Country of the Complainant: [Ireland], country of the Respondent: [unknown, failed to submit a response]

III. Date of registration of the domain name: [Not specified in facts, but prior to January 2025]

IV. Rights relied on by the Complainant (B(11)(f) ADR Rules) on which the Panel based its decision:
1. [Combined (word and device) trademark registered in Ireland, reg. No. 257021, for the term "Get it at GUINEYS", filed on [Not specified in facts], registered on 27 March 2017 in respect of goods and services in class 35]

2. N/A

3. N/A

4. N/A

5. geographical indication: NONE
6. designation of origin: NONE
7. unregistered trademark: Extensive unregistered common law trademark rights in the name "Guineys" established through over 50 years of continuous, well-known trading throughout Ireland and Northern Ireland.

8. business identifier: Registered trading name "Guineys"

9. company name: Registered corporate name "Michael Guiney Limited" (CRO Registration Number 34465) under the Irish Companies Act 2014.

10. family name: NONE

11. title of protected literary or artistic work: NONE

12. other: NONE

V. Response submitted: NO

VI. Domain name/s is/are identical to the protected rights of the Complainant (specifically identical to the dominant textual element of its registered trademark and its unregistered corporate/trading name).

VII. Rights or legitimate interests of the Respondent (B(11)(f) ADR Rules):
1. NO
2. Why: The Respondent has no connection, license, or authorization from the Complainant to use the name. The Respondent is not commonly known by the domain name and is not making a bona fide offering of goods or services. Instead, the domain is being used entirely for an illegitimate, fraudulent purpose to impersonate the Complainant's business and staff.

VIII. Bad faith of the Respondent (B(11)(e) ADR Rules):
1. YES
2. Why: The domain name was registered and used as the foundation for a highly coordinated impersonation and credit-fraud scheme. The Respondent created a matching email address (info@guineys.eu) and combined it with fake physical business cards to deceive suppliers at an international trade fair (Heimtex 2025) into granting orders on credit by exploiting the Complainant's established commercial reputation.

IX. Other substantial facts the Panel considers relevant: The fraud was independently uncovered when a targeted supplier (Aoka Textiles) contacted the Complainant directly to verify the legitimacy of the fraudulent email address, which led to a contemporaneous report to the Messe Frankfurt trade fair organizers by the Complainant's actual buying team.

X. Dispute Result: Transfer of the disputed domain name

XI. Procedural factors the Panel considers relevant: The Respondent failed to submit any administratively compliant response within the mandatory deadline specified by the ADR Rules, allowing the Panel to draw adverse inferences from this default.

XII. [If transfer to Complainant] Is Complainant eligible? Yes, (Michael Guiney Limited is an active private limited company incorporated and established in Ireland, an EU Member State, satisfying Article 3(c) of Regulation (EU) 2019/517).