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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

Best Drinks, LLC, a Virginia limited
liability company

Plaintiff,

v.

Consorzio Di Tutela Della Denominazione
Di Origine Controllata Prosecco, an
association incorporated under the laws of
Italy

Defendant.

Case No. 1:25-cv-1711

JURY TRIAL DEMANDED

Plaintiff Best Drinks, LLC (“Best Drinks” or “Plaintiff”), by and through their attorneys,
for its Complaint against Defendant, Consorzio Di Tutela Della Denominazione Di Origine
Controllata Prosecco (“Consorzio” or “Defendant”) alleges as follows:

NATURE OF ACTION

1. Plaintiff brings this action pursuant to the Anti-Cybersquatting Consumer
Protection Act (“ACPA”), 15 U.S.C. § 1114(2)(D), and the Federal Declaratory Judgment Act,
28 U.S.C. § 2201, to obtain a declaration of lawful use of the domain names <prosecco.com>,
<proseccoDOC.com>, and other prosecco-related domain names owned by Best Drinks
(collectively, the “Domain Names”), and to prevent their unlawful transfer and/or any order to
cease use.

2. Through this Complaint, Plaintiff seeks declaratory relief to establish that its
registration and use of the Domain Names are lawful under the Lanham Act, 15 U.S.C. § 1051
et seq., and that Plaintiff is the rightful owner of the Domain Names. Subject-matter jurisdiction
is proper under 28 U.S.C. §§ 1331, 1338, and 2201, as well as 15 U.S.C. § 1121, because this
action presents a federal question arising under the ACPA 15 U.S.C. §§ 1114(2)(D)(iv)–(v) and
1125(d).

1 2, Richmond, Virginia 23219-4100, and its principal place of business at 7 Grove Road, London,
2 United Kingdom SW12 0HQ. See Ex. 1. Best Drinks has two members, Ralph Goldstein and
3 Natalie Kirschel, both of whom are citizens of the United Kingdom and currently domiciled in
4 London, United Kingdom.

5 7. Defendant Consorzio di Tutela della Denominazione di Origine Controllata
6 Prosecco (“Consorzio”), upon information and belief, is an Italian organization that manages and
7 oversees the “Denominazione di Origine Controllata” (“DOC”) designation for Prosecco. Its
8 principal office is located at Via Calmaggione 23, 31100 Treviso, Italy. The DOC designation is
9 recognized within the European Union as a geographic indication, and it is further incorporated
10 into the EU system for “Denominations of Protected Origin” (“PDO”) in jurisdictions that
11 recognize PDOs. The United States does not recognize such designations as enforceable under
12 U.S. law. Upon information and belief, Consorzio is an entity organized under Italian law but is
13 not a governmental organization.

14 **JURISDICTION AND VENUE**

15 8. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 1338, and
16 2201, as well as 15 U.S.C. § 1121, because this action arises under the laws of the United
17 States, including 15 U.S.C. § 1125(d).

18 9. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and
19 1391(c)(2). Venue is further proper because Plaintiff is a Virginia limited liability company
20 and Defendant seeks to compel the cessation of use and transfer of the Domain Names owned
21 by Plaintiff, which are registered through the .com domain name registry, operated by
22 VeriSign, Inc., located within this judicial district at 12601 Bluemont Way, Reston, Virginia
23 20910.

24 10. This Court has personal jurisdiction over Defendant because it has purposefully
25 directed their conduct toward the Commonwealth of Virginia by seeking to compel the cessation
26 of use and the transfer of the Domain Names owned by Plaintiff, a Virginia limited liability
27 company, through Verisign, Inc., the .com and net domain name registry located within this
28 district. Defendant’s actions are expressly aimed at interfering with and attempting to seize the

1 property and legal rights belonging to a Virginia entity in domain names situated in Virginia.
2 Exercising jurisdiction over Defendant therefore comports with traditional notions of fair play
3 and substantial justice and satisfies due process under the Constitution of the United States.

4 11. In the alternative, this Court has *in rem* jurisdiction over the Domain Names
5 pursuant to 15 U.S.C. § 1125(d)(2), because the Domain Names are registered through Network
6 Solutions LLC and GoDaddy.com, LLC and are maintained in the authoritative .com registry
7 database operated by Verisign, Inc., which is located within this judicial district. To the extent
8 Defendant disputes personal jurisdiction, this Court may exercise jurisdiction directly over the
9 Domain Names to prevent their unlawful seizure or transfer.

10 **GENERAL ALLEGATIONS**

11 *a) The Prosecco-related Domain Names*

12 12. Upon information and belief, the domain name <prosecco.com> was first
13 registered more than twenty-six years ago, on November 26, 1999, by a registrant in Italy
14 identified as Guy Howell of Tre-vi Weine GmbH, through the registrar Register.it S.P.A., also
15 located in Italy. On or about May 15, 2012, the registrant converted the registration to a privacy-
16 protected status, thereby concealing the ownership details from public WHOIS records.

17 13. Upon information and belief, during the years following its registration, the
18 registrant used the <prosecco.com> domain name to promote, market, and sell Prosecco wine.
19 See Ex. 2a

20 14. On or about September 15, 2015, the <prosecco.com> domain name was
21 transferred to a new registrant, Rino Anselmi, located in Italy. Mr. Anselmi subsequently
22 transferred the registration to GoDaddy.com, LLC, a United States-based registrar. Upon
23 information and belief, the domain name was not actively used during this period but was
24 redirected to a webpage displaying advertisements for Parallels software. See Ex. 2b
25 (Screenshots from 2016). It is unclear from publicly available WHOIS records whether this same
26 registrant retained ownership of the domain name prior to February 2018.

27 15. Upon information and belief, the domain name <proseccoDOC.com> was
28 initially registered on September 10, 1999, by a registrant located in Italy identified as Edistar

1 S.r.l., through the United States-based registrar Network Solutions, Inc. According to WHOIS
2 records, on or about May 15, 2012, the registrant converted the domain name to a privacy-
3 protected status, thereby concealing ownership details from public WHOIS records.

4 16. Upon information and belief, in or around October 2015, the
5 <proseccoDOC.com> domain name was acquired by New Ventures Services, Corp., an entity
6 based in Pennsylvania, which continued to license the domain name until 2018. Upon
7 information and belief, between 1999 and 2018, the domain name was not in active use.

8 17. In 2018, Michael Goldstein, in his personal capacity, purchased several of the
9 Domain Names, including <proseccoDOC.com> on February 15, 2018; <proseccowine.com>
10 on March 9, 2018; and <prosecco.com> on May 10, 2018.¹ See Ex. 3. Mr. Goldstein was listed
11 as the registrant of record for these and other Domain Names until 2021. At the time of these
12 acquisitions, he resided in California but subsequently relocated to the United Kingdom.

13 18. In 2021, the Domain Names were assigned and transferred by Michael Goldstein
14 to Prosecco International Limited (“PIL”), a United Kingdom limited company, (Company No.
15 11509706), in which Michael Goldstein and his father, Ralph Goldstein, served as directors.
16 Michael Goldstein remained a Director of PIL until approximately February 1, 2024, and
17 continues to perform consulting services for the company.

18 19. In 2022, PIL conveyed and assigned all rights, title, and interest in the Domain
19 Names to Best Drinks, LLC, a Virginia limited liability company, which continues to own and
20 control the Domain Names. See Ex. 4.

21 *b) The prosecco-related websites*

22 20. Plaintiff operates prosecco-related websites, including <prosecco.com> and
23 <proseccodoc.com>.

24 21. Plaintiff’s website at <prosecco.com> states that Plaintiff is a family-owned
25 producer and marketer of high-quality Italian wines and offers three prosecco brands—Bella
26

27
28 ¹ The Domain Names listed above are provided as examples and do not reflect the full scope of acquisitions made by Mr. Goldstein in 2018. A full list of the Domain Names is attached as Exhibit 17.

1 Principessa, Signorina, and Bella Vino. The site also notes that Plaintiff does not presently
 2 conduct direct sales of prosecco through <prosecco.com>. See Ex. 5 (Website).

3 22. The <prosecco.com> site includes the following legal disclaimer:

4 *The domain name Prosecco.com is operated under an exclusive license authorized by*
 5 *Best Drinks. Kindly direct all inquiries regarding website operations, management, or*
 6 *related legal to the designated administrator at info@BestDrinks.com. This email*
 7 *address is the only official communication channel for such matters. Please note that no*
 8 *other entity or individual, unless explicitly stated by Best Drinks, is authorized to*
 9 *represent or make decisions regarding the domain Prosecco.com. All rights and*
 10 *responsibilities pertaining to the use and management of this domain are governed by*
 11 *the terms of the exclusive license agreement with Best Drinks.” See*
 12 *<https://prosecco.com/legal-disclaimer/> ¶ 1, attached hereto as Ex. 6.*

13 23. The <prosecco.com> site further states:

14 *“Prosecco.com is an independent source of information not affiliated with or endorsed*
 15 *by PDO Prosecco, the Consorzio di Tutela della Denominazione di Origine Controllata*
 16 *Prosecco or Consorzio di Tutela del Prosecco di Conegliano Valdobbiadene, private*
 17 *organizations composed of producers, bottlers, and traders in the Prosecco region.” Id.*
 18 *¶ 4.*

19 24. Plaintiff’s website at <proseccodoc.com> contains content substantially similar
 20 to <prosecco.com> and additionally features a blog with news articles, events, interviews, and
 21 educational materials related to prosecco. The site includes the same legal disclaimers referenced
 22 in ¶¶22–23. See Ex. 6 (Proseccodoc.com Website).

23 c) *Defendant’s failed attempt to obtain a trademark registration for*
 24 *“prosecco”.*

25 25. On or about April 18, 2019, Defendant filed U.S. Trademark Application Serial
 26 No. 88392015 with the United States Patent and Trademark Office (“USPTO”) seeking to
 27 register the term PROSECCO as a certification mark for “wines.” In support, Defendant
 28 submitted the following certification statement: “The certification mark, as used by authorized
 persons, certifies that the wine is produced in the Italian provinces of Trieste, Gorizia, Udine,
 Belluno, Pordenone, Venezia, Treviso, Padova, and Vicenza specified in the official standards,
 and is made using certain grapes identified in the official standards, and that it satisfies certain
 quality standards.” See Ex. 7.

26 26. Defendant’s application relied on Italian Registration No. 302017000115, issued
 27 February 13, 2019, and sought registration under Section 44(e) of the Lanham Act, 15 U.S.C. §
 28

1 1126(e). Section 44(e), which implements the United States’ obligations under the Paris
2 Convention, Article 6quinquies, permits a foreign applicant to base a U.S. application on its
3 home-country registration without first proving use in U.S. commerce.

4 27. On or about September 2, 2022, the USPTO issued a Final Office Action refusing
5 registration of PROSECCO on the ground that the designation “does not function as a
6 certification mark indicating regional origin (‘CMRO’).” See Ex. 8².

7 28. The USPTO explained that, while the record showed the term is generic as a wine
8 varietal name under Sections 1, 2, and 45, the refusal made FINAL under Sections 1, 2, 4, and
9 45 rested on the fact that the proposed mark fails to function as a CMRO for the wines of others
10 “due to its recognition as a generic wine varietal name and [as a] grape varietal from which such
11 wine is made.” See 15 U.S.C. §§ 1051, 1052, 1127; 37 C.F.R. § 2.63(b); Ex. 8 at 11. Although
12 Defendant argued that “Prosecco” appears on the European Community’s list of Protected
13 Designations of Origin (PDOs), the USPTO rejected that position, finding that the term was
14 already in common use in the United States as a varietal name when PDO recognition was sought
15 in Europe and therefore is not protectable under U.S. trademark law.

16 29. On or about March 1, 2023, Defendant filed a Request for Reconsideration and a
17 Notice of Appeal from the Final Office Action.

18 30. On or about March 22, 2023, the USPTO denied reconsideration and maintained
19 the refusal, stating that “no treaty grants exclusive rights to the term ‘Prosecco’ or any other EU
20 geographical indication,” and concluding that “the term Prosecco identifies a grape variety, not
21 a place of origin.” See Ex. 9 at 6–7³.

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25 ² The complete Final Office Action (539 pages) is available through the USPTO’s TSDR system
26 under Application Serial No. 88392015. Exhibit 8 reproduces only pages 1 and 9–21, which set
forth the USPTO’s rationale for refusal

27 ³ The USPTO’s denial of Defendant’s Request for Reconsideration (over 400 pages) is available
28 through the TSDR system under Application Serial No. 88392015. Exhibit 9 reproduces only
pages 1–14, which set forth the USPTO’s rationale for denial.

1 31. Upon information and belief, Defendant thereafter noticed an appeal to the
2 Trademark Trial and Appeal Board but, on or about August 7, 2023, abandoned its U.S.
3 application for PROSECCO. See Ex. 10.

4 *d) Defendant's Attempts to Circumvent U.S. Law Through Foreign*
5 *Proceedings*

6 **(1) INITIAL APPROACH TO ACQUIRE THE DOMAIN NAMES**

7 32. Upon information and belief, in or about mid-2022, Michael Goldstein, acting on
8 behalf of Prosecco International Limited ("PIL"), then the owner of the Domain Names,
9 contacted Defendant to request market information regarding prosecco wines to assist PIL in
10 marketing and promoting its prosecco products. By e-mail dated July 29, 2022, Defendant
11 provided certain data but, for the first time, also shifted the discussion to the Domain Names. In
12 that e-mail, Alessandra Zuccato, Defendant's Director of Economic and Legal Affairs,
13 acknowledged the registrations of the Domain Names and wrote that "the domain names
14 proseccodoc.com but overall prosecco.com and prosecco.jp, that you apparently have registered,
15 are certainly of great interest for our Consortium and would be key to further promote our
16 product," and asked whether Goldstein "would be open to consider to assign it/them to us." See
17 Ex. 11

18 33. On or about September 5, 2022, unrelated to Defendant's e-mail request, PIL
19 assigned the Domain Names to Plaintiff, Best Drinks, LLC, to pursue the marketing and
20 promotion of prosecco in the United States.

21 **(2) REPEATED FOLLOW-UP AND EARLY HARASSMENT**

22 34. Defendant did not let the matter rest. Instead, it followed up by e-mail on
23 September 12, 2022, and again on October 4, 2022, each time pressing whether Goldstein and
24 PIL had evaluated its "request" concerning prosecco.com. These communications marked the
25 beginning of Defendant's campaign of pressure over the Domain Names—nearly three years
26 before it ultimately filed suit.

35. On October 7, 2022, Goldstein responded on behalf of PIL, stating unequivocally that the Domain Names “are in use and not for sale,” and asking what Defendant meant by its inquiry. See Ex. 12

(3) ESCALATION TO THREATS

36. On February 20, 2023, more than four months later, Defendant disputed whether <prosecco.com> and <prosecco.jp> were “in use” because they redirected to <bellaprincessa.co.uk> and because <proseccodoc.com> was at the time inactive. Defendant then issued a threat: “Considering your actual use of the above-mentioned domain names and in light of the mission of the Consortium to protect the trademark PROSECCO (and promoting its use via websites duly reflecting the PROSECCO trademarks and designation of origin), I would like you to indicate your intention as to the domain names <prosecco.com>, <proseccodoc.com> and <prosecco.jp> (and any other domain names encompassing the PROSECCO trademark that are under your control for the time being) and your willingness to transfer them into our management.” See *Id.*

(4) MISPLACED THREATS TO PRIOR OWNER

37. On October 27, 2023, Defendant’s counsel wrote to PIL, a former owner of the Domain Names, alleging infringing activities and demanding that PIL “immediately cease the operation of the Website and the correspondent domain names prosecco.com and proseccodoc.com ... by 10 November 2023.” The letter further threatened: “Unless we receive the requested undertakings from you by the above deadline, we expressly reserve our right to commence proceedings against you for infringement of the PDO PROSECCO and our clients’ additional IP rights without further notice including seeking injunctive relief.” See Ex. 13 at 5.

38. On November 16, 2023, Goldstein, on behalf of PIL, advised Defendant that all inquiries relating to the Domain Names should be directed to Plaintiff at info@bestdrinks.com. See Ex. 14a.

39. On November 17, 2023, PIL formally responded to Defendant’s counsel, clarifying that the Domain Names were owned by Best Drinks, not PIL, and questioning

1 Defendant's objections to PIL's sale of certain prosecco products given Defendant's knowledge
 2 of those activities for more than five years. See Ex. 14b.
 3 40. Subsequently, Goldstein sent a follow-up letter on behalf of PIL, reminding Defendant's
 4 counsel that no effort had been made to contact Best Drinks directly. PIL reiterated its
 5 willingness to cooperate if Defendant would address its concerns to the proper party. See Ex.
 6 14c. When no response was received, PIL sent a second letter on March 4, 2024. See Ex. 14d.

7 40. With no substantive reply, Goldstein filed a complaint with Defendant's law firm,
 8 Bird & Bird, alleging that its repeated threats were misdirected and amounted to harassment.
 9 Bird & Bird ultimately dismissed the complaint.

10 41. After nearly fifteen months of silence, on or about January 25, 2025, Defendant's
 11 counsel at Bird & Bird again wrote to PIL—despite repeated notice that PIL no longer owned
 12 the Domain Names. The letter recycled prior allegations, claiming that the use of
 13 <prosecco.com> and <proseccodoc.com>, “which constitute instruments of deception,”
 14 infringed Defendant's U.K. trademarks and PDO rights. See Ex. 15.

15 (5) COMMENCEMENT OF FOREIGN PROCEEDINGS

16 42. Having failed to secure trademark protection in the United States, Defendant
 17 turned to a foreign forum more receptive to geographic indications. On or about August 24, 2025,
 18 Defendant commenced proceedings in the United Kingdom against PIL, Michael Goldstein, and
 19 Ralph Goldstein—despite Plaintiff's ownership of the Domain Names. The pleading alleges,
 20 inter alia, that use of the term “Prosecco” violates U.K. trademark law and breaches Article
 21 103(2) of Regulation (EU) No. 1308/2013 governing Protected Designations of Origin. See Ex.
 22 16.

23 43. Although framed as protecting “Prosecco” and “ProseccoDOC,” Defendant's
 24 U.K. action seeks, among other relief: (i) suspension of use of the Domain Names; (ii) a
 25 prohibition on transferring the Domain Names to anyone other than Defendant; and (iii) upon
 26 information and belief, an order compelling transfer of the Domain Names—even though
 27 Plaintiff is the lawful owner. The relief sought is intended to have worldwide effect, not limited
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1 to the United Kingdom, and thus constitutes an attempt to obtain extraterritorial remedies
2 unavailable under U.S. law.

3 44. Defendant's pursuit of foreign proceedings against a prior owner of the Domain
4 Names, and its effort to compel transfer despite Plaintiff's lawful ownership, underscores the
5 imminent risk that Defendant will unlawfully interfere with Plaintiff's rights through
6 extraterritorial means unenforceable under U.S. law.

7
8 **COUNT 1**
9 **DECLARATORY JUDGMENT UNDER THE ANTI-CYBERSQUATTING**
10 **CONSUMER PROTECTION ACT (15 U.S.C. § 1114(2)(D)(V))**

11 45. Plaintiff incorporates by reference the allegations contained in paragraphs 1
12 through 44 above.

13 46. Pursuant to 15 U.S.C. § 1114(2)(D)(v), any domain name registrant whose
14 domain name has been suspended, disabled, or transferred, or is threatened with such action,
15 may file a civil action to establish that its registration and use of the domain name is not unlawful
16 under the Lanham Act.

17 47. Plaintiff is the registrant of the domain names <prosecco.com> and
18 <proseccoDOC.com> and other prosecco-related domain names (the "Domain Names") and uses
19 them in connection with its bona fide business of marketing and promoting Italian wines.
20 Plaintiff's registration and use of the Domain Names is lawful and does not violate the Lanham
21 Act.

22 48. An actual and justiciable controversy exists between Plaintiff and Defendant
23 regarding ownership and lawful use of the Domain Names. Defendant has demanded that the
24 Domain Names be suspended or transferred, and has initiated foreign proceedings seeking such
25 relief, thereby creating a concrete and imminent risk that Plaintiff's Domain Names will be
26 suspended, disabled, or transferred.

27 49. On September 2, 2022, the USPTO issued a Final Office Action refusing
28 Defendant's application to register "Prosecco" as a certification mark, holding that "Prosecco"
is generic and does not function as a certification mark indicating regional origin. The USPTO

1 further found that “the term Prosecco identifies a grape variety, not a place of origin,” and that
2 “no treaty grants exclusive rights to the term ‘Prosecco’ or any other EU geographical
3 indication.”

4 50. Defendant ultimately abandoned its U.S. trademark application for “Prosecco” on
5 or about August 7, 2023. Having failed to obtain rights under U.S. law, Defendant has instead
6 sought relief in a foreign forum that accords greater protection to geographic indications, in an
7 attempt to accomplish indirectly what it cannot lawfully achieve in the United States.

8 51. Defendant’s actions constitute an effort at reverse domain name hijacking,
9 precisely the conduct Congress intended to prevent when it enacted § 1114(2)(D)(v)—
10 attempting, through bad-faith use of foreign proceedings, to wrest control of lawfully registered
11 U.S. domain names from their rightful registrant.

12 52. Plaintiff therefore seeks a declaration from this Court, pursuant to 15 U.S.C. §
13 1114(2)(D)(v) and 28 U.S.C. § 2201, that:
14 (a) Plaintiff’s registration and use of the Domain Names is not unlawful under the Lanham Act;
15 (b) Defendant has no right to compel the suspension, transfer, or reassignment of the Domain
16 Names; and
17 (c) Defendant is enjoined from seeking to suspend, transfer, or otherwise interfere with
18 Plaintiff’s Domain Names through foreign proceedings or other extraterritorial means
19 inconsistent with U.S. law.

20 53. **WHEREFORE**, Plaintiff respectfully requests that this Court enter judgment in
21 its favor, declare Plaintiff’s rights in the Domain Names, deny Defendant any claim to the
22 Domain Names, enjoin Defendant from seeking to suspend, transfer, or reassign the Domain
23 Names through foreign or extraterritorial proceedings, award Plaintiff its costs and attorneys’
24 fees as permitted by law, and grant such other and further relief as the Court deems just and
25 proper.

COUNT 2
DECLARATORY JUDGMENT – NON-INFRINGEMENT
(15 U.S.C. §§ 1114, 1125(A); 28 U.S.C. § 2201)

54. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 53 above.

55. An actual and justiciable controversy exists between Plaintiff and Defendant as to whether Plaintiff's registration and use of the Domain Names <prosecco.com> and <proseccodoc.com> infringe any rights claimed by Defendant under the Lanham Act. Defendant's threats and foreign proceedings have created a substantial, immediate, and concrete risk of interference with Plaintiff's lawful ownership and use of the Domain Names

56. Defendant has asserted, in foreign proceedings and through other threats, that Plaintiff's use of the Domain Names violates rights in the term "Prosecco," including alleged rights based on foreign laws governing Protected Designations of Origin ("PDOs").

57. The USPTO has conclusively determined that "Prosecco" is generic and incapable of functioning as a trademark in the United States. Defendant's abandoned application confirms that it has no enforceable rights in "Prosecco" under U.S. law.

58. Plaintiff's registration and use of the Domain Names therefore do not infringe any protectable rights of Defendant under 15 U.S.C. § 1114 or § 1125(a), or any other provision of the Lanham Act.

59. Plaintiff is entitled to a declaratory judgment under 28 U.S.C. § 2201 establishing that: (a) Plaintiff's registration and use of the Domain Names do not infringe any valid U.S. trademark rights of Defendant; and (b) Defendant has no enforceable rights in the term "Prosecco" in the United States that would entitle it to the suspension, transfer, or reassignment of the Domain Names.

60. **WHEREFORE**, Plaintiff respectfully requests that this Court enter judgment in its favor, declare that Plaintiff's registration and use of the Domain Names do not infringe any valid U.S. trademark rights of Defendant, declare that Defendant has no enforceable U.S.

1 trademark rights in “Prosecco,” award Plaintiff its costs and attorneys’ fees as permitted by law,
2 and grant such other and further relief as the Court deems just and proper.

3
4 **COUNT 3**
5 **UNFAIR COMPETITION UNDER THE LANHAM ACT 15 U.S.C. 1125(A)**

6 61. Plaintiff incorporates by reference the allegations contained in paragraphs 1
7 through 60 above.

8 62. Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), prohibits false or
9 misleading representations of fact in commerce that are likely to cause confusion or deceive as
10 to the affiliation, connection, or association of a party with another, or as to the origin,
11 sponsorship, or approval of goods, services, or commercial activities.

12 63. Plaintiff is the lawful registrant and owner of the Domain Names <prosecco.com>
13 and <proseccodoc.com>, which it uses in connection with its bona fide business of marketing
14 and promoting Italian wines.

15 64. Defendant has, through threats, correspondence, and foreign litigation, falsely
16 represented that Plaintiff’s ownership and use of the Domain Names is unlawful, and has falsely
17 suggested that Defendant has rights to control or transfer the Domain Names.

18 65. Defendant’s conduct is likely to cause confusion and mistake, and to deceive
19 customers, business partners, and the public into believing that Plaintiff’s business activities
20 conducted through the Domain Names are unauthorized or infringing, or that Defendant has
21 rights of sponsorship, approval, or control over the Domain Names and Plaintiff’s business
22 operations.

23 66. Defendant’s actions constitute unfair competition in violation of 15 U.S.C. §
24 1125(a).

25 67. As a direct and proximate result of Defendant’s wrongful conduct, Plaintiff has
26 suffered and will continue to suffer harm, including disruption of its business relationships, loss
27 of goodwill, diversion of potential customers, damage to its reputation, and attorneys’ fees and
28 costs incurred in protecting its rights.

1 68. **WHEREFORE**, Plaintiff respectfully requests that this Court enter judgment in
2 its favor, declare that Defendant's conduct constitutes unfair competition under the Lanham Act,
3 enjoin Defendant from making false or misleading statements regarding Plaintiff's ownership or
4 use of the Domain Names, award Plaintiff its damages, Defendant's profits, and its costs and
5 attorneys' fees pursuant to 15 U.S.C. § 1117, and grant such other and further relief as the Court
6 deems just and proper.

7 **COUNT 4**
8 **FRAUD AND MISREPRESENTATION**
9 **(Common Law of the Commonwealth of Virginia)**

10 69. Plaintiff incorporates by reference the allegations contained in paragraphs 1
11 through 68 above.

12 70. Defendant, through its agents and counsel, knowingly made false and misleading
13 representations to third parties, including the UK courts, asserting that Defendant possessed
14 exclusive trademark rights in the term *Prosecco* and was entitled to compel the transfer of the
15 Domain Names <prosecco.com>, <proseccoDOC.com>, and the other Prosecco-related Domain
16 Names.

17 71. At the time those representations were made, Defendant knew them to be false,
18 as Defendant's own trademark applications had been refused by the United States Patent and
19 Trademark Office on the ground that "Prosecco" is a generic term not subject to trademark
20 protection under U.S. law.

21 72. Defendant made these misrepresentations willfully and with the intent to deceive
22 U.S. third parties into believing that Defendant held superior rights, thereby inducing or coercing
23 them to transfer or suspend Plaintiff's lawfully owned Domain Names.

24 73. Plaintiff justifiably relied on the accuracy of domain-name registration systems
25 governed by U.S. law and was damaged when Defendant's false statements caused the wrongful
26 initiation of foreign proceedings and imminent threat of seizure of its Domain Names.

27 74. As a direct and proximate result of Defendant's fraudulent conduct, Plaintiff has
28 suffered substantial injury, including loss of business goodwill, interruption of online commerce,
and legal expenses incurred to protect its property.

75. **WHEREFORE**, Plaintiff respectfully requests judgment in its favor and against Defendant for (a) Compensatory damages in an amount to be proven at trial; (b) punitive damages for Defendant's willful and malicious conduct; (c) pre- and post-judgment interest as allowed by law; and (d) such other and further relief as the Court deems just and proper.

COUNT 5
TORTIOUS INTERFERENCE WITH BUSINESS EXPECTANCY

76. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 75 above.

77. Plaintiff, Best Drinks, LLC, has long maintained legitimate and ongoing business relationships and expectancies arising from its ownership and operation of the Domain Names <prosecco.com> ,<proseccoDOC.com> and other Prosecco-related Domain Names, including but not limited to: (a) commercial relationships with customers, distributors, and vendors in connection with the promotion and sale of Prosecco-related products; and (b) the continued ability to operate, develop, and monetize its websites under the Domain Names.

78. Defendant knew, or should have known, of these relationships and business expectancies. Defendant has been aware of Best Drinks' operations for years and has met directly with Best Drinks' manager, Michael Goldstein, on multiple occasions—specifically, during wine conferences and trade shows in 2018 and 2025, and again during meetings at Defendant's offices as recently as April 2025—where the parties discussed Best Drinks' business activities and online branding associated with the Domain Names.

79. Despite that knowledge, Defendant intentionally and improperly sought to interfere with those relationships and expectancies by making false representations to third parties—foreign courts—asserting that Defendant possessed exclusive rights to the generic term “Prosecco” and was entitled to compel the transfer or suspension of the Domain Names.

80. Defendant's conduct constitutes interference by improper means, including fraud, misrepresentation, and abuse of foreign judicial process, undertaken with the intent and effect of disrupting Plaintiff's lawful business operations and depriving Plaintiff of its property rights.

1 88. Defendant's conduct was undertaken willfully, maliciously, and without lawful
2 justification, and was intended to deprive Plaintiff of the use, value, and ownership of its property.

3 89. As a direct and proximate result of Defendant's wrongful conduct, Plaintiff has
4 suffered harm, including impairment of its property interests, loss of business revenue, reputational
5 injury, and substantial expenses incurred to protect its property from unlawful seizure.

6 90. **WHEREFORE**, Plaintiff respectfully requests that this Court enter judgment in its
7 favor and against Defendant for: (a) Compensatory damages in an amount to be proven at trial; (b)
8 Punitive damages for Defendant's willful and malicious misconduct; (c) A declaration confirming
9 Plaintiff's exclusive ownership and control of the Domain Names; (d) Pre- and post-judgment
10 interest as allowed by law; and (e) Such other and further relief as this Court deems just and proper.

11 **COUNT 7**
12 **ABUSE OF PROCESS**

13 91. Plaintiff incorporates by reference the allegations contained in paragraphs 1
14 through 90 above.

15 92. Defendant has wrongfully invoked legal process, specifically litigation initiated
16 in the United Kingdom, for an ulterior purpose: to obtain the suspension and transfer of U.S.-
17 registered domain names that Defendant could not lawfully secure under U.S. trademark law.

18 93. Defendant's use of foreign proceedings—directed at Plaintiff's prior owner and
19 members rather than Plaintiff itself—constitutes a misuse of judicial process intended to
20 circumvent U.S. law, coerce Plaintiff, and interfere with property located in the United States.

21 94. Defendant's conduct was not undertaken for the legitimate purpose of resolving
22 a bona fide dispute under U.K. law, but rather for the improper purpose of weaponizing foreign
23 process to accomplish indirectly, through a foreign court, what Defendant was unable to obtain
24 through lawful means in the United States.

25 95. As a direct and proximate result of Defendant's misconduct, Plaintiff has suffered
26 damages, including attorneys' fees and litigation expenses, harm to its business interests, loss of
27 goodwill and business opportunities, and the ongoing risk of losing control of valuable property.
28

1 96. **WHEREFORE**, Plaintiff respectfully requests that this Court enter judgment in
2 its favor, award compensatory and punitive damages, award attorneys' fees and costs, and grant
3 such other relief as the Court deems just and proper.

4
5 **PUNITIVE DAMAGES**

6 97. Punitive damages are warranted in this case because Defendant's conduct was
7 intentional, malicious, oppressive and undertaken in bad faith.

8 98. Defendant knowingly and deliberately sought to misuse judicial process by
9 initiating proceedings in a foreign jurisdiction with the ulterior purpose of depriving Plaintiff of
10 valuable property located in the United States. Defendant engaged in this course of conduct
11 despite being expressly denied trademark rights in the term "Prosecco" by the United States
12 Patent and Trademark Office, which found the term to be generic and incapable of registration
13 under U.S. law. Defendant's persistence in pursuing foreign litigation after abandoning its U.S.
14 trademark application demonstrates an intentional and calculated strategy of forum shopping,
15 designed to accomplish through coercion what could not be obtained through lawful means in
16 the United States.

17 99. Such conduct transcends ordinary business disputes and evidences a willful and
18 reckless disregard of both U.S. law and Plaintiff's property rights. Defendant's actions were
19 taken with knowledge that they would cause harm to Plaintiff, disrupt Plaintiff's business
20 operations, and impose substantial legal costs. This constitutes precisely the type of intentional
21 and egregious misconduct for which punitive damages are designed.

22 100. Plaintiff is entitled to punitive damages under the common law of Virginia and
23 applicable statutes, upon clear and convincing evidence that Defendant acted with intentional
24 misconduct, malice, or gross disregard for Plaintiff's rights.

25 101. Accordingly, in addition to declaratory, injunctive, and compensatory relief,
26 Plaintiff respectfully submits that an award of punitive damages is appropriate and necessary to
27 punish Defendant's willful misconduct and to deter others from engaging in similar reverse
28 domain name hijacking schemes.

DEMAND FOR JURY TRIAL

102. Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff respectfully demands a jury trial of all issues triable to a jury in this action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in its favor and against Defendant, and grant the following relief:

A. A declaration pursuant to 15 U.S.C. § 1114(2)(D)(v) and 28 U.S.C. § 2201 that Plaintiff's registration and use of the Domain Names set forth in Exhibit 17 -- including <prosecco.com>, <proseccoDOC.com>, and other prosecco-related domain names lawfully registered to Plaintiff -- are not unlawful under the Lanham Act, and that Defendant has no right to compel their transfer;

B. A declaration that Plaintiff's registration and use of the Domain Names set forth in Exhibit 17 do not infringe any valid rights of Defendant under the Lanham Act, including 15 U.S.C. §§ 1114 and 1125;

C. A declaration that Defendant's conduct constitutes an effort at reverse domain name hijacking and unfair interference with Plaintiff's lawful business activities;

D. A temporary restraining order, preliminary injunction, and permanent injunction prohibiting Defendant, its officers, agents, servants, employees, attorneys, successors, assigns, and all persons in active concert or participation with it, from taking any action to transfer, disable, or otherwise interfere with Plaintiff's ownership, registration, or use of the Domain Names set forth in Exhibit 17;

E. Compensatory and consequential damages in an amount to be proven at trial, including damages for interference with Plaintiff's business relationships and expectancy interests;

F. Punitive damages for Defendant's intentional misconduct and bad faith;

G. Plaintiff's reasonable attorneys' fees and costs pursuant to 15 U.S.C. § 1117(a), and other applicable law;

1 H. Costs of this action; and

2 I. Such other and further relief as the Court may deem just and proper.

3
4
5 DATED: October 7, 2025,

6
7 /s/Jeffrey J. Neuman (VA Bar No. 41744)
8 JIN SOLUTIONS, LLC
9 9445 Brenner Ct.
10 Vienna, VA 22180
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13
14 *Attorney for Plaintiff,*
15 *Best Drinks, LLC*
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LIST OF EXHIBITS

EXHIBIT	DESCRIPTION
1	Best Drinks, LLC Entity ID
2a	Screen Shot from Prosecco.com (March 15, 2007)
2b	Screen Shot from Prosecco.com (November 17, 2013)
2c	Screen Shot from Prosecco.com (March 13, 2016)
3a	Receipt for purchase of ProseccoDOC.com (Price Redacted)
3b	Receipt for purchase of Prosecco.com (Price Redacted)
3c	Receipt for purchase of ProseccoWine.com (Price Redacted)
4a	Proof of Prosecco.com Ownership Screenshot
4b	Proof of ProseccoDoc.com Ownership Screenshot
5	Website for Prosecco.com
6	Legal Disclaimers for Prosecco.com
7	Defendant's Trademark Application for Prosecco
8	Final Office Action issued for Defendant's TM Application for Prosecco
9	Denial of Defendant's Request for Reconsideration for TM Application
10	Defendant's Notice of Abandonment of TM Application for Prosecco
11	E-mail from Defendant to Goldstein on July 29, 2022
12	E-mail from Defendant to Goldstein on February 20, 2023 also containing E-mail from Goldstein to Def. on October 7, 2025
13	October 27, 2023 Letter from Def. to Michael Goldstein
14a	November 16, 2023 letter from Prosecco International to Def.
14b	November 17, 2023 Letter from PIL to Defendant
14c	November 22, 2023 Letter from PIL to Defendant
14d	March 4, 2024 Letter from PIL to Defendant
15	January 29, 2025 Letter from Defendant to Michael Goldstein
16	United Kingdom Bill of Particulars for Def. Lawsuit against PIL, Michael Goldstein and Ralph Goldstein.
17	List of all Prosecco-related Domain Names