

## **ADMINISTRATIVE PANEL DECISION**

Black Crown Inc. v. Alan Bell  
Case No. D2025-5083

### **1. The Parties**

Complainant is Black Crown Inc., United States (“US”), represented by Black Crown Inc., US.

Respondent is Alan Bell, US, represented by Katten Muchin Rosenman LLP, US.

### **2. The Domain Name and Registrar**

The disputed domain name <thehigherstandard.com> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 7, 2025. On December 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 9, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details. On December 10, 2025, the Center sent a deficiency notification in accordance with Rules, Paragraph 4(d), to which Complainant responded on December 11, 2025. Respondent sent a communication to the Center on the same day.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on December 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. On December 17, 2025, Complainant replied to a communication of Respondent, copying the Center. Upon request, Respondent was granted the automatic four (4) calendar day extension for response under paragraph 5(b) of the Rules. The due date for Response was postponed to January 8, 2026. The Response was filed with the Center on January 8, 2026.

The Center appointed Christopher S. Gibson as the sole panelist in this matter on January 23, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

Complainant is the owner of the registered trademark, THE HIGHER STANDARD, US Registration No. 6940266, filed on November 24, 2021, and registered January 3, 2023, for entertainment services; podcasts and video podcasts; streaming media programming; leadership, education, business, mentorship, and financial literacy content; and related digital media services.

Complainant has used the mark in commerce since 2021, including through a nationally distributed podcast (“The Higher Standard Podcast”); streaming video content; educational services; social media channels; and official websites and merchandise sales. Complainant’s online presence includes Instagram and YouTube, which Complainant states demonstrates widespread consumer recognition and multi-year brand use.

Complainant’s Google search for “The Higher Standard,” on December 7, 2025, shows Complainant’s podcast as the top result, along with Complainant’s websites, YouTube channel (over 31,000 subscribers) and merchandise and branded content. There is no evidence of Respondent’s platform appearing prominently.

On November 30, 2025, Complainant sent a cease-and-desist letter demanding, among other things, that Respondent cease use of the Domain Name and respond within ten business days. Respondent has observed that the Complaint in this case was filed with the Center on December 7, 2025, less than 10 business days after Complainant’s cease-and-desist letter.

The Domain Name was initially registered on July 28, 1999, while the Whois record indicates the registration was updated on July 29, 2025. Respondent has provided evidence that at least as early as November 30, 2022, Respondent was in communication with a domain name broker at GoDaddy in an effort to purchase the Domain Name. The evidence indicates Respondent purchased the Domain Name on December 7, 2022, for USD 3,609.63, using GoDaddy’s broker services. Respondent states he has been using the Domain Name for the website associated with his initiative, “The Higher Standard,” a not-for-profit empowerment project focused on uplifting diverse and underserved communities, particularly black and brown youth, with an emphasis on fostering a deeper connection with the natural environment. The initiative is a branch of Respondent’s The Elements Community Initiative, a registered Illinois not-for-profit corporation focused on community and environment oriented charitable activities, including elevating organizations that support marginalized communities in Chicago, Illinois.

#### **5. Parties’ Contentions**

##### **A. Complainant**

###### **(i) Identical or Confusingly Similar**

As noted above, Complainant is the owner of THE HIGHER STANDARD trademark, filed on November 24, 2021, and registered January 3, 2023. Complainant claims its online presence, including podcast platforms, social media, websites, and merchandise demonstrate widespread consumer and online recognition, multi-year brand use, and secondary meaning. Complainant states the Domain Name is identical to its mark, while the addition of the “.com” generic Top-Level-Domain (“gTLD”) is irrelevant in accordance with UDRP precedent.

Complainant concludes the first element of the Policy is satisfied.

(ii) Respondent Has No Rights or Legitimate Interests

Complainant states Respondent is not the owner of any trademark registration for “The Higher Standard,” is not commonly known by that name, and has never been authorized by Complainant to use its mark.

Complainant also contends Respondent has not used the Domain Name in connection with any bona fide offering of goods or services prior to Complainant’s rights. Complainant claims Respondent’s website and apps operate in the same industry as Complainant – leadership, education, business, streaming media, and inspirational content, creating a direct competitive conflict. Complainant argues Respondent’s derivative branding (Higher Leadership, Higher Knowledge, Higher Achievement) shows intentional expansion on Complainant’s mark. Finally, Complainant submits Respondent’s use is commercial, not noncommercial or fair use. Therefore, Respondent lacks any legitimate interest in the Domain Name.

(iii) Respondent Registered and Used the Domain in Bad Faith

Complainant contends Respondent’s conduct meets multiple bad faith factors, including:

- Respondent activated the Domain Name after Complainant’s rights vested, as a WHOIS record shows an update was made in July 2025, years after Complainant’s use of its mark commenced in 2021 and the mark was registered in 2023. Complainant urges that under UDRP precedent, the relevant “registration” date is the date of acquisition or reactivation.
- Respondent launched a commercial ecosystem using the identical THE HIGHER STANDARD mark. Respondent’s 2025 website rollout shows a branded system, streaming services with apps across major platforms, and content distribution, all launched after Complainant’s rights existed.
- Respondent’s use is designed to attract users for commercial gain. Respondent’s apps and streaming channels (Apple, Google, Roku) demonstrate profitability motives.
- Respondent ignored Complainant’s cease-and-desist letter. Respondent is an attorney and received notice on November 30, 2025, but continued using the Domain Name, reinforcing intentional bad faith.
- Respondent cannot plausibly claim ignorance, as a Google search shows Complainant’s brand appears prominently across websites, Apple podcasts, YouTube, social media, and a merchandise store. Complainant alleges Respondent’s claim of independent creation is untenable.
- Complainant’s long-standing presence predates Respondent’s use by years, with Complainant claiming to have a nationwide footprint since 2021. Complainant argues that Respondent’s 2025 adoption is opportunistic and meant to leverage Complainant’s reputation.

**B. Respondent**

(i) Identical or confusingly similar

Respondent contends the Domain Name is not confusingly similar to Complainant’s trademark. As established, the website to which Respondent’s Domain Name resolves makes it abundantly clear that the Domain Name is in no way related to Complainant’s trademark or podcast. Respondent’s site makes no reference to a podcast, financial literacy, or personal wealth, and does not include any links or other information that would cause a visitor to believe Respondent’s website is affiliated with Complainant. Respondent therefore contends that Complainant failed to establish confusing similarity under the Policy, paragraph 4(a)(i).

(ii) Rights or legitimate interests

Respondent states he has both used, and made preparations to use, the Domain Name in a bona fide offering of goods and services before receiving notice of this dispute. While Complainant contends Respondent “[d]id not use the domain in connection with any bona fide offering of goods or services prior to Complainant’s rights,” Respondent responds this assertion is false. Respondent acquired a Squarespace subscription on November 23, 2022, specifically for the purpose of developing a website for his “The Higher Standard” initiative. Respondent then acquired the Domain Name on December 7, 2022, and began uploading asset files to use on the site in December 2022. Respondent claims its website was first active in December 2022 and has been periodically in use since that time. These activities pre-date Complainant’s trademark registration.

Respondent submits, in any event, it is not relevant whether Respondent used the Domain Name for a bona fide offering of goods or services prior to Complainant’s rights. Rather, pursuant to paragraph 4(c)(i) of the UDRP, a respondent can establish rights or legitimate interests by showing that the respondent used or made preparations to use a domain name in connection with the bona fide offering of goods or services before receiving notice of the dispute. Here, Respondent’s initiative existed and operated long before Complainant challenged Respondent’s use of the Domain Name. Respondent states The Higher Standard initiative was conceived in 2022 as a not-for-profit empowerment project focused on uplifting diverse and underserved communities, particularly black and brown youth, with an emphasis on fostering a deeper connection with the natural environment. The initiative is a branch of The Elements Community Initiative, a registered Illinois not-for-profit corporation focused on community and environment oriented charitable activities, including elevating organizations that support marginalized communities in Chicago, Illinois. Respondent states his vision for The Higher Standard initiative is to support projects that align with those activities already promoted by the Elements Community Initiative, such as creating educational resources, promoting projects focused on arts and sustainability, and developing nature focused public spaces within underserved communities.

Respondent asserts he acquired the Domain Name on December 7, 2022, to create a website that would promote and provide information about the initiative. The site has been periodically in use since December 2022, nearly three years before Complainant’s November 30, 2025 cease-and-desist letter. When the website is not in use, it has been offline so that Respondent could prepare it for future use. When online, the site describes The Higher Standard initiative’s vision and purpose and contains pages intended to promote the initiative’s future activities. Further, Complainant concedes that Respondent has operated a “full website” accessed through the Domain Name since at least February 2025, which is months before Complainant’s cease-and-desist letter. Because Respondent’s legitimate business use of the Domain Name pre-dates Complainant’s challenge, such use represents a bona fide offering of services prior to notice of a dispute.

Respondent preparations include acquiring a subscription to Squarespace, a website-building platform, in November 2022 in order to develop The Higher Standard website, creating an asset library for the website starting in December 2022, and actually building the website. Respondent provided evidence in support of these steps. Respondent contends because he acquired, prepared to use, and actually used the Domain Name long before receiving notice from Complainant of any dispute, Respondent has satisfied UDRP paragraph 4(c)(i).

Respondent also states that he has engaged in legitimate noncommercial use of the Domain Name. Respondent uses the Domain Name to promote his community-empowerment initiative in support of The Elements Community Initiative, a not-for-profit arm of The Elements Group. At no time during Respondent’s use of the Domain Name did he engage in any activity, such as selling products or featuring Pay-Per-Click links or paid advertising, that prior UDRP panels have considered to be commercial. Respondent’s use of the Domain Name, to promote a not-for-profit company aimed at serving the public interest and engaging with community members in connection with that purpose, cannot be construed as commercial, particularly when the Domain Name is not used for any buying or selling whatsoever.

Further, contrary to Complainant's assertions, Respondent contends the fact Respondent's website includes links to The Elements Group's mobile app and streaming channel does not indicate a commercial purpose. Respondent's mobile app, The Elements+, and streaming channel, The Elements Channel, are extensions of The Elements Group that are free to download. Links to freely downloadable software applications cannot transform a not-for-profit business's website intended to serve the public interest from noncommercial to commercial. Respondent has therefore made legitimate noncommercial use of the Domain Name pursuant to UDRP paragraph 4(c)(iii).

Accordingly, Respondent submits he has made legitimate, noncommercial use of the Domain Name in connection with a bona fide offering of services before he received notice of this dispute.

Complainant has therefore failed to establish Respondent's lack of legitimate rights or interests in the Domain Name pursuant to UDRP paragraph 4(a)(ii).

(iii) Registered and used in bad faith

Respondent contends a complainant must show that the respondent acted in bad faith in both the registration and use of a domain name, and Complainant has failed to carry the burden of proof on every circumstance listed in paragraph 4(b) of the Policy, or under any other circumstances.

- Respondent maintains he did not acquire the Domain Name with the primary purpose of selling it to Complainant for more than the out-of-pocket costs associated with the Domain Name. Respondent acquired the Domain Name for the bona fide purpose of promoting his community empowerment initiative. Respondent has submitted a sworn affidavit that he had no knowledge of Complainant or Complainant's podcast when he acquired the Domain Name. Complainant did not provide any evidence that Respondent's primary purpose at the time of registration was to sell the Domain Name and makes no assertion that Respondent had such a purpose. Respondent emphasizes Complainant does not contend that Respondent took any subsequent action that would indicate such a purpose, such as approaching Complainant with an offer to sell.

- Respondent claims he did not acquire or use the Domain Name for commercial gain by intentionally creating a likelihood of confusion with Complainant's trademark. Respondent acquired and used the Domain Name for the purpose of promoting a not-for-profit community empowerment initiative, a noncommercial activity. Despite Complainant's unsupported claim of a "clear profitability motive," Respondent urges Complainant failed to provide any evidence of activities that would indicate such a motive. Complainant did not show that Respondent's website featured paid advertisements, Pay-Per-Click links, merchandise sales, or other indicia of a commercial purpose. Indeed, there is no commercial purpose because Respondent operates the site using the Domain Name to promote its not-for-profit activity in the public interest.

Further, Respondent asserts he did not attempt to create a likelihood of confusion with Complainant's trademark. Respondent's website contains information relating to its community-empowerment initiative. At no point did the site feature any indicia that prior panels have treated as attempts to target a complainant, such as mentions of Complainant, advertisements for goods or services competing with Complainant, or Pay-Per-Click links to Complainant's site.

While Complainant argues that there is a "direct competitive conflict" between Complainant and Respondent, Respondent disagrees. Complainant broadcasts an entertainment podcast about financial literacy and promotes the podcast through various social media platforms. By its own admission, Complainant's business is related to these topics, as their trademark registration relates to entertainment, podcasts, digital media services, and financial literacy. Respondent's site does not promote or even mention podcasts and there is no content reflected on the site relating to financial literacy. Complainant and Respondent's enterprises serve different populations, perform in different mediums, target different audiences, and are not even remotely in the same industries. Respondent argues the notion that he is "opportunistic" and attempting to "leverage Complainant's reputation" makes no sense. Beyond the stark differences between the parties' businesses, Respondent's site does not suggest any affiliation whatsoever with Complainant.

Accordingly, there can be no likelihood of confusion when Complainant and Respondent operate such profoundly different businesses.

- Respondent states he could not have constructive notice of Complainant's trademark because the mark is a nondistinctive combination of two dictionary terms and was registered after Respondent acquired the Domain Name. Absent clear evidence to the contrary, prior panels have declined to ascribe knowledge to a Respondent where the trademark in question is not distinctive, or where the mark is made up of a dictionary term or combination of terms. "The Higher Standard" is not a fanciful or arbitrary trademark; rather, it is a common phrase made up of two dictionary words. "Standard" means "a level of quality, achievement, performance that is considered acceptable or desirable." Paired with the adjective "higher," the phrase denotes a more elevated or advanced degree of quality, achievement, or performance. The meaning of the phrase stands on its own, separate from Complainant's use of it for a financial literacy podcast, and it is reasonable to conclude Respondent chose the Domain Name for the dictionary meaning alone. Indeed, Respondent chose the Domain Name because he believed that the dictionary meaning aligns well with an initiative meant to elevate and uplift marginalized communities, and the website reflects this conclusion. The trademark's nondistinctive nature is further highlighted by the fact that "Higher Standard" is currently being used by multiple entities in a variety of industries.

In addition, Respondent's December 7, 2022, acquisition of the Domain Name predates Complainant's registered trademark rights, which only arose on January 3, 2023. While Complainant's trademark application was published before Respondent acquired the Domain Name, Respondent states prior panels have refused to impute constructive notice to the publication of an application where a complainant's trademark is neither well-known nor distinctive enough to receive common law protection. Respondent submits there is no reasonable basis to find that Respondent acquired the Domain Name specifically to target a nondistinctive trademark of which he had no actual knowledge, especially when such mark was registered after Respondent's acquisition of the Domain Name. The only reasonable conclusion is that Respondent acquired the Domain Name for its common, dictionary sense.

Respondent also contends Complainant's trademark is not widely known or famous enough to infer that Respondent knew or should have known of Complainant's mark. Respondent argues that while Complainant states it "has strong online recognition and secondary meaning," Complainant cites only to a modest following on social media and a Google search result. Respondent submits Complainant overstates its own prominence in the broader community and jumps to the illogical and false conclusion that Respondent must have been aware of Complainant's existence before this dispute arose. In fact, Respondent submitted a sworn affidavit that he never heard of Complainant or its business until he received the November 30, 2025, cease-and-desist letter.

Respondent claims Complainant fails to provide any meaningful evidence of the trademark's reputation, either at the time Respondent acquired the Domain Name or when he began using the Domain Name, which would show that Respondent should have known about the mark. Respondent submits a trademark's reputation must be evaluated at the time that the respondent acquired the Domain Name – in this case, December 2022. Complainant's only evidence is from December 2025, when Complainant filed the Complaint. In addition, none of Complainant's evidence reveals anything about the trademark's alleged widespread recognition. Prior panels have discussed the types of evidence that would indicate a trademark's fame, which in this case may include a breakdown of monthly podcast listeners, merchandise sales, or advertisements. Complainant provides no such evidence, even though such evidence, if it exists, would be easily accessible to Complainant.

Instead, Respondent alleges Complainant's evidence indicates that the trademark is in fact not well-known. For example, the only Google search results related to Complainant are those webpages created by Complainant. Furthermore, despite Complainant's claim that its YouTube channel boasted "31,000 subscribers" in 2025 (a number that hardly qualifies Complainant's brand as famous), the channel did not exist when Respondent acquired the domain name in 2022. Complainant provided no interviews, reviews, inclusion on annual "best of" lists, or other third-party press to suggest that Complainant's mark was so well known that the Respondent must have been targeting Complainant at the time he registered the Domain

Name. Based on the foregoing, Complainant has therefore failed to establish bad faith under UDRP paragraph 4(b)(iv).

- Further Respondent claims he did not acquire the Domain Name in an attempt to disrupt Complainant's business. Respondent and Complainant are not competitors. Complainant's trademark registration is for podcasts and video podcasts "in the field of financial literacy, real estate, credit, law, entrepreneurship, stocks, bonds, business, leadership, investing, education, finance, construction, leadership, mentorship, and networking." Complainant's podcast, by its own description, is meant to educate listeners about personal finances and developing personal wealth. This is markedly different from Respondent's established use of the Domain Name in connection with a not-for-profit community empowerment initiative focused on marginalized communities and the environment.

Moreover, even though the focus of this dispute is on Respondent's The Higher Standard's website and the Domain Name through which it can be accessed, Respondent's other business endeavors, including the mobile and streaming apps, The Elements+ and The Elements Channel, are also not competing with Complainant. Neither app contains content designed to inform viewers about personal wealth and finances. Accordingly, there is no evidence to indicate this was an intentional attempt to disrupt Complainant's business because none of Respondent's businesses, much less the business using the Domain Name, compete with Complainant.

- Respondent also alleges his use of the Domain Name does not divert traffic from Complainant or attempt to divert traffic to Complainant's competitors. Prior panels have found that activities designed to divert traffic from a complainant's website include Pay-Per-Click links that redirect towards competitors of the complainant, advertisements of complainant's competitors, or mentions of a complainant's competitors on the respondent's website. Complainant did not provide any evidence Respondent's site engaged in any activities designed to divert traffic away from Complainant. Complainant has therefore failed to establish bad faith under UDRP paragraph 4(b)(iii).

- Further, Respondent asserts he did not acquire the Domain Name as part of a pattern of trademark-abusive domain name registrations. Respondent states Complainant must show that Respondent has engaged in a pattern of similar domain name registrations under UDRP paragraph 4(b)(ii). As this is the first-ever UDRP complaint against Respondent, Complainant can establish no such pattern.

- Finally, Respondent asserts his alleged failure to respond to Complainant's cease-and-desist letter does not represent "willful" bad faith, because Complainant did not give Respondent the appropriate amount of time to respond. Complainant's November 30, 2025, letter requested that Respondent cease use of the Domain Name and respond to Complainant with an offer to sell within "ten (10) business days." On December 7, 2025, only five business days after this communication, Complainant filed the initial Complaint with the Center, in which Complainant alleged that Respondent "ignored" the letter. Complainant carried this allegation into the First Amended Complaint, filed on December 11, 2025. Respondent contends that Complainant communicated an arbitrary and unreasonable deadline to Respondent, disregarded that deadline by filing the Complaint halfway through the response period, and then attempted to use Respondent's failure to respond early as evidence of bad faith. While prior panels have drawn adverse inferences where a respondent fails to respond, such inference should not be made here where Respondent's ability to respond was cut short by Complainant's own actions.

For the foregoing reasons, Complainant has failed to carry its burden of proof on the question of Respondent's bad faith under the Policy.

## **6. Discussion and Findings**

In order to succeed on its Complaint, Complainant must demonstrate that the three elements set forth in paragraph 4(a) of the Policy have been satisfied. These elements are that:

- (i) the Domain Name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) Respondent has registered and is using the Domain Name in bad faith.

### **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between Complainant's trademark and the Domain Name. (The Respondent focuses on actual or likely confusion, which is usually considered under the third element.) WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Here, the Panel finds Complainant has shown rights in respect of a trademark or service mark. [WIPO Overview 3.0](#), section 1.2.1. Moreover, the entirety of the mark is reproduced in the Domain Name, with no variation. Accordingly, the Domain Name is identical to the mark for the purposes of the Policy. The Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

In view of the Panel's findings below under the third element of the Policy, it is unnecessary to make a determination with respect to the second element of paragraph 4(a) of the Policy.

### **C. Registered and Used in Bad Faith**

The third element of paragraph 4(a) of the Policy requires that Complainant demonstrate that Respondent registered and is using the Domain Name in bad faith. Both elements must be present for the Complaint to succeed.

The Panel finds that Complainant has failed to carry its burden under this element.

First, Respondent has submitted a sworn affidavit attesting that he had no knowledge of Complainant or its podcast when he acquired the Domain Name in December 2022. The Panel sees no reason, based on the record, to doubt the Respondent's declaration – in particular, there is no evidence of targeting Complainant and its trademark rights. The Panel observes that Complainant's registered trademark rights arose in January 2023, after Respondent's acquired the Domain Name on December 7, 2022. Moreover, Complainant has not shown that its mark possessed sufficient distinctiveness or reputation at the time of the Domain Name's registration to impute knowledge of it to Respondent. Instead, the evidence in this regard submitted by Complainant regarding its reputation dates primarily from 2025, with some podcasts dating back (with smaller numbers of viewers) to 2023. See e.g., *Billy Bob's Texas IP Holding LLC v. Domain Administer, Name Administration Inc.*, WIPO Case No. [D2016-1221](#) ("[T]he Complainant does not provide sufficient evidence of the reputation of the BILLY BOB'S Mark in 2003," the year the respondent registered the domain name).

Further, the phrase "The Higher Standard" is comprised of descriptive terms. The record supports Respondent's assertion that the Domain Name was registered for its common meaning and used in connection with a not-for-profit community empowerment initiative. UDRP panels have held that registration of a domain name consisting of such terms, without evidence of targeting a specific complainant, does not by itself establish bad faith registration. See e.g., *Honest History Co. v. Registration Private, Domains by Proxy, LLC / Barron Douglas, Mercury*, WIPO Case No. [D2021-3028](#) ("[T]he Complainant's inference that the Respondent 'should have known' about the 'impending' trademark is not persuasive, especially as the mark is based on dictionary words and had a limited reputation").

Second, Complainant has not shown that Respondent used the Domain Name in bad faith, for example by using it primarily for the purpose of selling it to Complainant or a competitor for valuable consideration in excess of out-of-pocket costs, nor that Respondent used the Domain Name to attract users for commercial gain by creating a likelihood of confusion with Complainant's mark. The Domain Name does not host paid advertising, Pay-Per-Click links, or content competing with Complainant. The use described by Respondent – a noncommercial website devoted to community-based initiatives – does not reflect an intent to profit from or exploit Complainant's trademark rights. Complainant claims Respondent's 2025 website rollout demonstrates profit motives. The Panel disagrees – the evidence as presented does not indicate that Respondent's aim in registering the Domain Name was to profit from or exploit Complainant's trademark. Respondent's site does not mention Complainant or seek to confuse visitors, nor do Complainant and Respondent appear to be competitors offering competing services, as claimed by Complainant. Nor does the evidence suggest that Respondent registered the Domain Name to disrupt Complainant's business or to prevent Complainant from reflecting its mark in a domain name. This appears to be the first UDRP proceeding involving Respondent, negating any inference of a pattern of abusive domain name registrations.

Finally, Complainant's reliance on Respondent's alleged non-response to Complainant's cease-and-desist letter is unpersuasive. The record shows that the letter provided a 10-business day response time, and that Complainant filed the Complaint before this specified period had elapsed. Such facts do not evidence bad faith.

On the totality of the record, the Panel concludes Complainant has failed to prove that Respondent registered and used the Domain Name in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

The Panel finds the third element of the Policy has not been established.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Christopher S. Gibson/*

**Christopher S. Gibson**

Sole Panelist

Date: February 20, 2026