

## **ADMINISTRATIVE PANEL DECISION**

N-Fab, Inc. v. Ren Ai  
Case No. D2025-5268

### **1. The Parties**

The Complainant is N-Fab, Inc., United States of America (“United States”), represented by MacMillan, Sobanski & Todd, LLC, United States.

The Respondent is Ren Ai, China.

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

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

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 17, 2025. On December 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 18, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Complainant filed an amended Complaint on December 18, 2025.

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

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on December 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 19, 2026.

The Center appointed Ian Lowe as the sole panelist in this matter on January 21, 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**

The Complainant is a company based in Texas, United States. Internet searches by the Panel indicate that the Complainant is part of the Realtruck Group. N-FAB is described as the leader in rugged truck and off-roading nerf steps and pre-runner bumpers. The Complainant and/or Realtruck have sold such products under the N-FAB brand since 2002.

The Complainant is the proprietor of registered trademarks in respect of N-FAB, including United States trademark number 5405194 N-FAB registered on February 20, 2018 and United States trademark number 5405195 stylised word mark “n-FAB” (the N-Fab design”) also registered on February 20, 2018.

The Domain Name was registered on June 19, 2024 and resolves to a website that prominently features the N-Fab design in the banner of all web pages and that purports to offer for sale a wide range of accessories for trucks and similar off-road vehicles under brands including those of Realtruck and its competitors. The About Us page of the Respondent’s website gives no information as to the identity of the operator of the website, but states that “for over 20 years, N Fab ® has been the leader in truck accessories and off-road style” and that its home base is in Phoenix, Arizona, United States.

#### **5. Parties’ Contentions**

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

The Complainant contends that the Domain Name is confusingly similar to its N-FAB trademark (the “Mark”), that the Respondent has no rights or legitimate interests in respect of the Domain Name and that the Respondent registered and is using the Domain Name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

##### **B. Respondent**

The Respondent did not reply to the Complainant’s contentions.

#### **6. Discussion and Findings**

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used 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 the Complainant’s trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Ignoring the generic Top-Level Domain (“gTLD”) “.com”, the Domain Name comprises the entirety of the Mark with the addition of the term “the”. The Panel finds that the addition of the definite article “the” does not prevent a finding of confusing similarity between the Domain Name and the Mark. [WIPO Overview 3.0](#),

section 1.8. Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and the first element of the Policy has been established.

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

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. Accordingly, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The Complainant has made out a strong prima facie case that the Respondent could have no rights or legitimate interests in respect of the Domain Name. The Respondent has used the Domain Name not in connection with a bona fide offering of goods or services, but for a website impersonating the Complainant, featuring the Complainant’s N-Fab design and purporting to offer for sale both products of the Realtruck Group and products of competitors of the Complainant and Realtruck.

UDRP panels have consistently held that the use of a domain name for illegal activity (such as impersonation or passing off) can never confer rights or legitimate interests on a respondent. See [WIPO Overview 3.0](#) section 2.13.1.

There is no suggestion that the Respondent has ever been known by the Domain Name. The Respondent has chosen not to respond to the Complainant or to take any steps to counter the prima facie case established by the Complainant. In the circumstances, the Panel finds that the Respondent does not have any rights or legitimate interests in respect of the Domain Name.

The Panel finds the second element of the Policy has been established.

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

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In light of the nature of the Domain Name, incorporating the entirety of the Mark, and the Respondent’s use of its website to impersonate the Complainant and purport to sell products of the Realtruck Group (as well as those of its competitors), the Panel is in no doubt that the Respondent had the Complainant and its rights in the Mark in mind when it registered the Domain Name.

The Panel is satisfied that the Respondent has registered and, as set out above, used the Domain Name to impersonate the Complainant and to deceive Internet users into believing that the Domain Name is operated or authorized by the Complainant, attracting Internet users by creating a likelihood of confusion with the Mark. In the Panel’s view, the use of a domain name for such activity, clearly with a view to commercial gain, amounts to paradigm bad faith registration and use for the purposes of the Policy, paragraph 4(b)(iv).

The Panel finds the third element of the Policy has been established.

## 7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <thenfab.com> be transferred to the Complainant.

*/lan Lowe/*

**Ian Lowe**

Sole Panelist

Date: February 3, 2026