

ADMINISTRATIVE PANEL DECISION

Sazerac Brands, LLC v. Work Banshee

Case No. D2026-0195

1. The Parties

Complainant is Sazerac Brands, LLC, United States of America (“United States” or “US”), represented by Dorsey & Whitney, LLP, United States.

Respondent is Work Banshee, United States.

2. The Domain Name and Registrar

The disputed domain name <wellerantique107.com> is registered with Global Domain Group LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 16, 2026. On January 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 20, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (UNKNOWN) and contact information in the Complaint. The Center sent an email communication to Complainant on January 20, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on January 20, 2026.

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 Respondent of the Complaint, and the proceedings commenced on January 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 15, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on February 16, 2026.

The Center appointed Bradley A. Slutsky as the sole panelist in this matter on February 20, 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 a limited liability company organized under the laws of Delaware, United States, and headquartered in Kentucky. Complainant was founded in the 1890s and states that it is one of the largest and oldest spirits companies in the United States. Its business includes the production, marketing, and sale of a wide range of alcoholic beverages, including bourbon and other distilled spirits.

Complainant has used the WELLER brand in connection with bourbon whiskey products since 1909. Complainant has multiple US and international trademarks covering whiskey and other alcoholic beverages, including the following:

Mark	Goods/Services (International Class)	Jurisdiction	Reg. No.	Reg. Date
OLD WELLER THE ORIGINAL 107 PROOF (stylized)	33	US	1,194,084	April 20, 1982
W.L. WELLER	33	US	1,879,987	February 21, 1995
OLD WELLER	33	US	3,055,183	January 31, 2006
WELLER	33	US	5,588,642	October 23, 2018
W & Design	33	US	5,813,299	July 23, 2019
WELLER THE ORIGINAL WHEATED BOURBON & Design	33	US	5,970,619	January 28, 2020
WILLIAM LARUE WELLER	33	US	5,768,613	June 4, 2019

Complainant's brands also include a bourbon known as W.L. WELLER Antique 107. The Complaint states that W.L. WELLER Antique 107 has won 71 awards at international spirits competitions, including silver at the 2025 International Wine & Spirits Competition, and gold at both the 2024 Global Whiskey Challenge and 2024 American Whiskey Masters.

Complainant also maintains an online presence promoting its WELLER products, including a dedicated product page on the Buffalo Trace Distillery website and active social media accounts. The Complainant notes that the WELLER Instagram page has over 73,000 followers and the WELLER Facebook page has over 27,000 followers.

Respondent is identified as Work Banshee, located in New York. Respondent registered the disputed domain name on October 7, 2025. The disputed domain name resolves to a website prominently titled "WELLER ANTIQUE 107". The website displays images of Complainant's WELLER-branded bottles and references Complainant's Buffalo Trace Distillery. The website purports to offer WELLER Antique 107 bourbon for sale as well as competing third-party whiskey products.

Complainant sent Respondent a cease and desist letter on December 12, 2025. Respondent did not reply to the cease and desist letter.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it has longstanding and substantial rights in several WELLER-formative trademarks, which it has used in commerce for more than a century. These brands include W.L. WELLER Antique 107. Complainant asserts that the disputed domain name is confusingly similar to these marks, and that "Respondent's registration of the [d]isputed [d]omain [n]ame is undoubtedly intended to create confusion or an assumption that it is affiliated with, sponsored by, or otherwise connected to, Complainant, as there is no other commercial use for the mark WELLER or WELLER Antique 107".

Complainant argues that Respondent cannot demonstrate any rights or legitimate interests in the disputed domain name, as Complainant's WELLER marks predate the disputed domain name registration by more than a century, Respondent is not a licensee or otherwise authorized to use the WELLER marks, "Respondent is attempting to intentionally confuse potential consumers by misrepresenting such [...] affiliation" and therefore Respondent's use is not bona fide, and Respondent is not commonly known as WELLER. Complainant also highlights that Respondent ignored Complainant's cease-and-desist letter, thereby also allegedly casting doubt on whether Respondent has rights or legitimate interests in the disputed domain name.

Complainant further argues that Respondent registered and is using the disputed domain name in bad faith. Complainant asserts that Respondent's website is designed to impersonate Complainant by prominently displaying the title "WELLER ANTIQUE 107", using copyrighted images of WELLER bottles, and making statements such as "Welcome to WELLER ANTIQUE 107, your trusted destination for premium and rare bourbons [...] from the Buffalo Trace Distillery". Complainant also notes that the disputed domain name purports to sell competing third-party whiskey products, allegedly constituting a bad faith "bait-and-switch" scheme. Complainant asserts that Respondent's conduct is intended to divert Internet traffic for commercial gain by exploiting the goodwill associated with the WELLER marks. Complainant further asserts that Respondent must have been aware of the WELLER marks at the time of registration, and that Respondent's failure to respond to Complainant's cease and desist letter also is evidence of bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Pursuant to paragraph 15(a) of the Rules, a panel in UDRP proceedings "shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

Under paragraph 4(a) of the Policy, Complainant must prove the following:

- (i) the disputed domain name 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 disputed domain name; and
- (iii) the disputed 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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has shown rights in respect of several registered WELLER-formative trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that Complainant's WELLER mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of "antique107" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. The addition of the ".com" generic Top-Level Domain ("gTLD") also does not prevent a finding of confusing similarity. The gTLD in a domain name "is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test". [WIPO Overview 3.1](#), section 1.11.1

Accordingly, the Panel finds 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

"Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate [Respondent's] rights or legitimate interests to the domain name for purposes of paragraph 4(a)(ii):

(i) before any notice to [Respondent] of the dispute, [Respondent's] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or

(ii) [Respondent] (as an individual, business, or other organization) [has] been commonly known by the [disputed] domain name, even if [Respondent has] acquired no trademark or service mark rights; or

(iii) [Respondent is] making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue." Policy, paragraph 4(c).

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that 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 Respondent. As such, where a complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

There is no evidence that Respondent has used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, or has been commonly known by the disputed domain name, or is making a legitimate noncommercial or fair use of the disputed domain name.

The only evidence of Respondent's use of the disputed domain name is its operation of a website that prominently uses Complainant's W.L. WELLER Antique 107 branding, uses Complainant's copyrighted images, and purports to offer Complainant's products (without authorization and without indicating its lack of relationship to the Complainant) and competing products for sale. Such conduct does not constitute a bona fide offering of goods or services under the Policy or otherwise give rise to rights or legitimate interests. See *World Trade Centers Association, Inc. v. Hanifi Bal*, WIPO Case No. [D2019-0476](#) (finding no rights or legitimate interests "[g]iven the prominent and unauthorized use of the Complainant's trademarks on the website at the disputed domain name" and where "the Respondent has neither a license nor any other permission to use the Complainant's trademark in the disputed domain name or otherwise").

Accordingly, 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. Specifically, "the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that [Respondent has] registered or [Respondent has] acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of [Respondent's] documented out-of-pocket costs directly related to the domain name; or
- (ii) [Respondent has] registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that [Respondent has] engaged in a pattern of such conduct; or
- (iii) [Respondent has] registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, [Respondent has] intentionally attempted to attract, for commercial gain, Internet users to [Respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [Respondent's] website or location or of a product or service on [Respondent's] website or location". Policy, paragraph 4(b).

"Given that the scenarios described in UDRP paragraph 4(b) are non-exclusive and merely illustrative, even where a complainant may not be able to demonstrate the literal or verbatim application of one of the above scenarios, evidence demonstrating that a respondent seeks to take unfair advantage of, abuse, or otherwise engage in behavior detrimental to the complainant's trademark would also satisfy complainant's burden."

[WIPO Overview 3.1](#), section 3.1.

In the present case, the Panel notes that Respondent registered the disputed domain name incorporating Complainant's mark more than a century after Complainant began using the mark. The disputed domain resolves to a website that prominently references Complainant's products, using Complainant's own copyrighted images, without indicating its lack of relationship to the Complainant. This clearly indicates that Respondent is aware of Complainant's marks and intends for the disputed domain name to attract Internet users to Respondent's website by creating a likelihood of confusion with Complainant's marks. The sale of Complainant's products as well as competitors' products on Respondent's website obviously is a commercial use. These activities are indicative of bad faith. *DSV A/S v. Dawson Anabelle, Dawson*, WIPO Case No. [D2016-0254](#) ("As to bad faith use, by fully incorporating the DSV Mark into the disputed domain name and by using such disputed domain name in connection with a copy of the Complainant's website the Respondent was, in all likelihood, trying to divert traffic intended for the Complainant's website to its own for commercial gain as set out under paragraph 4(b)(iv) of the Policy. The Panel is therefore satisfied that the Respondent also used the disputed domain name in bad faith."); *Bulgari S.p.A. v. bvlgari jewelry*, WIPO Case No. [D2023-0806](#) ("The Respondent has clearly used the disputed domain name incorporating the BVLGARI mark to confuse Internet users and to re-direct them to a website which promotes and/or leads Internet users to offers for sale of competing jewellery products. [...] It is therefore clear that the Respondent is using the disputed domain name to take advantage of the reputation attaching to the BVLGARI mark for its own commercial benefit in terms of paragraph 4(b)(iv) of the Policy. Such use amounts to evidence of registration and use in bad faith under this paragraph of the Policy. The Respondent's failure to reply to the Complainant's pre-action notice or to explain its conduct in the course of these proceedings [...] only reinforces the Panel's view of the Respondent's blatant registration and use of the disputed domain name in bad faith."). Respondent's failure to respond to Complainant's cease and desist letter also is evidence of bad faith. *Valentino S.p.A. v. SYED HAMZA ALI SHAH*, WIPO Case No. [D2025-2275](#) ("Cease-and-desist letters sent by the Complainant to these addresses remained unanswered, which also indicates that the Respondent was not acting in good faith.").

Accordingly, the Panel finds that Complainant has established the third element of the Policy.

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 disputed domain name <wellerantique107.com> be transferred to Complainant.

/Bradley A. Slutsky/

Bradley A. Slutsky

Sole Panelist

Date: March 4, 2026