

ADMINISTRATIVE PANEL DECISION

Birdie Girl Golf, LLC v. Jill Beyer / Many Hats Enterprises, LLC
Case No. D2026-0450

1. The Parties

The Complainant is Birdie Girl Golf, LLC, United States of America (“United States”), represented by the Ospina Law Firm, United States.

The Respondent is Jill Beyer / Many Hats Enterprises, LLC, United States, represented by the Uradnik Law Firm, United States.

2. The Domain Names and Registrar

The disputed domain names <birdiegirl.com>, and <birdiegirlgolf.net> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 4, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 4, 2026, 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 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 the Respondent of the Complaint, and the proceedings commenced on February 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 1, 2026. Representatives of the Parties exchanged correspondence in connection with a possible settlement, but the Parties did not conclude a settlement. The Respondent did not submit any Response. Accordingly, the Center notified the Respondent’s default on March 2, 2026.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on March 5, 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.

Counsel of the Respondent entered an appearance on March 6, 2026, requesting an extension of time to submit a Response which was granted by the Panel with the Administrative Panel Order Number 1 dated March 13, 2026. The Respondent filed a Response on March 17, 2026. Counsel for the Complainant, which previously had been internally represented, entered an appearance on March 13, 2026. The Complainant requested leave to file a reply to the Response, and the Respondent objected.

4. Factual Background

The Complainant is a limited liability company organized under the laws of the State of Idaho, United States and headquartered in Boise, Idaho. The Complainant sells golf products such as golf ball markers, golf bags, tees, golf club covers, hats and visors to consumers online, with a particular focus on women golfers. The Complainant states that it launched its BIRDIE GIRL brand with its website at “www.birdiegirfgolf.com” on April 16, 2022. The Panel notes that the Internet Archive’s Wayback Machine has screen captures of the Complainant’s website dating from April 2022 onward.¹

The Complainant’s website, headed with a BIRDIE GIRL logo, is published in versions for the United States and Canada markets. It is linked to the Complainant’s social media accounts and includes links to media references to the Complainant’s brand such as a “GolfDigest” article about the Complainant’s offerings at the 2024 PGA Merchandise Show and a 2024 story in “GolfPass”. The Complainant’s website includes customer reviews and a blog.

The Complainant claims common law rights to BIRDIE GIRL as a word mark in continuous use since April 16, 2022. In addition, the Complainant has the following relevant United States trademark registrations, the first two of which are subject to cancellation challenges:

Mark	Reg. Number	Application Date	Reg. Date	International Class
BIRDIE GIRL (word, disclaiming the use of “GIRL” apart from the mark as shown)	7395251	August 31, 2022	May 28, 2024	28, 35
BIRDIEGIRL (composite mark: the figurative logo with the stylized word “BIRDIEGIRL”)	7395252	August 31, 2022	May 28, 2024	28, 35
BIRDIE GIRL GOLF (word, disclaiming the use of “GOLF” apart from the mark as shown)	8098888	December 22, 2024	January 13, 2026	9, 28, 35, 41

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition (“[WIPO Overview 3.1](#)”), section 4.8.

The disputed domain name <birdiegirl.com> was created on October 15, 2013, and is registered to the Respondent Jill Beyer, listing no organization and a postal address in the State of Minnesota, United States, with a Gmail contact email address. The Complaint attaches an extract from the deposition of Jill Beyer in litigation described further below, indicating that the Respondent was not the original registrant of this disputed domain name but communicated with the Registrar about acquiring it in September 2021 and then again in August 2023, ultimately purchasing the disputed domain name in December 2023. At the time of this Decision, the disputed domain name resolves to a landing page with a “Get This Domain” button directing to the Registrar page, and third-party pay-per-click (“PPC”) advertising links, as well as generic text about “Lab and Bird Supplies” (seemingly generated by artificial intelligence (“AI”)).

The disputed domain name <birdiegirlgolf.net> was created on June 1, 2022, and is also registered to the Respondent Jill Beyer with the same contact details, including the same telephone number. At the time of this Decision, the disputed domain name resolves to a landing page advertising the disputed domain name for sale via the Registrar. The Panel notes that this disputed domain name has been associated with a landing page similar to the one described above in connection with the disputed domain name <birdiegirl.com>, displaying PPC advertising links (and also apparently AI-generated text).

The Complaint attaches evidence that in February 2024 both disputed domain names redirected to the “Birdie Babe Golf” website at <birdiebabegolf.com> (the “Respondent’s website”). The website is operated by Many Hats Enterprises, LLC (“Many Hats”), a Minnesota limited liability company owned by Ms. Beyer and her husband. According to the online database of the Minnesota Secretary of State, Many Hats has existed in its present form since 2000. Like the Complainant’s website, the Respondent’s website sells golf products chiefly designed for women golfers. The “About Us” page of the Respondent’s website explains that the Beyers own a small golf course in Minnesota and started designing and selling “ladies’ golf bags and accessories” in 2011. The Panel notes that the domain name for the Respondent’s website was indeed registered on February 16, 2011, and the Internet Archive’s Wayback Machine has screenshots of the Respondent’s website as early as September 2011, displaying the same logo used currently on the website, an illustration of a bluebird over the words “Birdie Babe” in stylized letters, beside a golf ball rolling toward a flagged hole.

Many Hats holds a United States Trademark Registration for the BIRDIE BABE design mark (Number 4931336, registered on April 5, 2016) in International Class 35, claiming first use in commerce in June 2011, as well as United States Trademark Registration Number 7578296 (registered on November 26, 2024) for the word mark BIRDIE BABE in International Class 35, also claiming first use in commerce in June 2011, with an application date of January 21, 2024.

An earlier application by Many Hats to register BIRDIE BABE as a word mark in International Class 28 (United States Serial Number 85302933) was abandoned on May 4, 2015, after the United States Patent and Trademark Office (“USPTO”) determined that there was a likelihood of confusion with a third party’s BIRDIE GIRL marks registered in that class.

The Panel notes that the online database of the Minnesota Secretary of State shows that Many Hats registered “Birdie Babe Golf” as an assumed name (D/B/A) on May 2, 2011, but this registration expired on May 3, 2021, and has not been renewed.

The Response was filed on behalf of both Jill Beyer, the registrant of the disputed domain names, and Many Hats, her company that owns the trademark registrations and operates the Respondent’s website. Given their commonality of interests, the Panel accepts both Jill Beyer and Many Hats as Respondents in this proceeding and refers to them collectively hereafter as “the Respondent” except where otherwise noted.

The Parties have a history with each other and have been engaged in litigation and contested trademark proceedings before USPTO. Summarizing from the Complaint and Response in this proceeding, court filings, and USPTO documents, the relevant facts are as follows:

The Complainant sent an email to the Respondent on October 28, 2024, notifying it of the Complainant's marks and requesting that it stops using the disputed domain names to redirect Internet traffic to the Respondent's website. The Respondent replied on the same day stating that the Respondent was aware of the Complainant's existence but had decided not to take action against the Complainant's use of the BIRDIE GIRL marks because the Respondent "didn't want to be a jerk" and was "busy with life and had better things to worry about". More formally, the Respondent's attorney replied on November 1, 2024 with an email to the Complainant saying that the Respondent was not interested in discontinuing use of the disputed domain names or transferring them to the Complainant, and also asserting that the Complainant's registration and use of BIRDIE GIRL marks for golf goods and services infringed on the Respondent's prior registered mark.

The Complainant filed a federal lawsuit against Many Hats, *Birdie Girl Golf, LLC v. Many Hats Enterprises, LLC*, Case 1:24-cv-09425-LJL (USDC SDNY, December 10, 2024) under, inter alia, the federal Anti-Cybersquatting Consumer Protection Act ("ACPA").

Many Hats petitioned USPTO for cancellation of the Complainant's BIRDIE GIRL marks (Registrations Number 7395251 and 7395252) on December 20, 2024, USPTO TTAB Cancellation No. 92087101, on the ground of likelihood of confusion with the composite mark registered to Many Hats. The USPTO suspended this petition, however, in deference to the pending civil action. Many Hats revived its petition for cancellation before the USPTO when the Complainant subsequently dismissed its civil action without prejudice on February 2, 2026, "due to the cost of continued federal litigation".

Thus, at the time of this Decision, there is no pending civil action between the Parties, and the Respondent's petition for cancellation before the USPTO remains pending.

The Panel notes that in the civil action between the Complainant and Many Hats, the federal judge had occasion to issue an Opinion and Order dated August 18, 2025, denying in relevant part a motion by Many Hats to dismiss the complaint for failure to state a claim under the ACPA. Based on evidence produced in that judicial proceeding, the judge found that Many Hats acquired the registrations for the disputed domain names "in late 2023 or early 2024" and in February 2024 arranged for each of the disputed domain names to redirect to the Respondent's "Birdie Babe Golf" website. The court also observed that the Respondent acknowledged prior awareness of the Complainant, a competitor in the online sale of golf products.

5. Parties' Contentions

A. Complainant

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

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to its BIRDIE GIRL and BIRDIEGIRL trademarks, which the Respondent does not have a license to use. The Complainant argues that the Respondent uses instead the trade name and mark BIRDIE BABE, not a name corresponding to BIRDIE GIRL, and that the Respondent acquired or registered the disputed domain names only to profit from the BIRDIE GIRL and BIRDIEGIRL marks of the Complainant, a competitor. The Complainant argues that this reflects bad faith and not a legitimate interest.

The Complainant cites the federal court's findings and attaches records from its email marketing platform showing that the Respondent subscribed to the Complainant's marketing platform on June 1, 2022, the same day that the Respondent registered the disputed domain name <birdiegirlgolf.net>. Thus, the Complainant argues, the Respondent had actual knowledge of the Complainant and its marks and purposefully sought to engender confusion for commercial gain. The Complainant cites a "pattern" of abusive registrations, as two disputed domain names are involved. The Complainant argues as well that the Respondent sought to disrupt the business of a competitor and to extort a sales price for the disputed domain names in excess of registration costs, demanding amounts ranging from USD 20,000 to 45,000 in settlement discussions in January and February 2026.

B. Respondent

The Respondent accepts that the Complainant “may satisfy” the Policy’s standing requirement for trademark rights and confusing similarity but argues that the Respondent has a legitimate interest in operating a bona fide golf-related online business with “a longstanding naming conflict over closely related BIRDIE-formative names”, which the Respondent had disputed with a third party before it conflicted with the Complainant:

“Respondent operated an existing golf business under BIRDIE BABE long before Complainant’s asserted first use, had already encountered BIRDIE GIRL-formative marks before Complainant existed, and had an evidence-backed interest in <birdiegirl.com> before Complainant’s claimed launch.”

The Respondent asserts that GoDaddy marketing outreach repeatedly approached the Respondent with offers to purchase the disputed domain names, both before and after the Complainant’s launch; this was not the case of the Respondent attempting to block a known competitor. The Respondent already had an established, similar mark and had already tried to prevent it from being undermined by the BIRDIE GIRL marks of an earlier, third-party competitor. The Respondent casts its acquisition of the disputed domain names and redirection to the Respondent’s website as a defensive measure. The Respondent distinguishes this from the classic cybersquatting paradigm, where a party with “no colorable rights adopts the complainant’s exact mark solely to trade on confusion”. Further, the Respondent points out that it voluntarily discontinued the redirects after the Complainant filed a federal civil action.

The Respondent also dismisses the Complainant’s inferences that registering the two disputed domain names constitutes a “pattern” of cybersquatting, or that the exchange of demands in settlement negotiations proves that the Respondent registered the disputed domain names primarily to extort an excessive transfer price.

The Respondent argues that it is within its rights to pursue its cancellation petition before the USPTO and that this dispute is essentially a trademark contest outside the scope of UDRP cybersquatting concerns. The Respondent contends that the Complainant overstates the weight of the judge’s factual findings on the motion to dismiss in the now-abandoned federal civil action and urges the Panel to enter a finding of Reverse Domain Name Hijacking (“RDNH”) in this proceeding.

6. Discussion and Findings

6a. Preliminary Matter: Supplemental Filings

Paragraph 10 of the Rules vests the Panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition. Hence, unsolicited supplemental filings are generally discouraged. [WIPO Overview 3.1](#), section 4.6.

In this case, the Panel notes that the Parties’ lengthy email submissions, now furnished by counsel on both sides, provide sufficient indications of the facts and arguments on which they rely to ascertain that further briefing and delay are not warranted. They do not point the Panel to newly discovered material evidence or to new arguments that require further illumination.

6b. Substantive Issues

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 disputed domain names. [WIPO Overview 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (the registered BIRDIE GIRL and BIRDIE GIRL GOLF word marks and the registered BIRDIEGIRL composite mark) for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the BIRDIE GIRL mark is reproduced within both disputed domain names, and the entirety of the BIRDIE GIRL GOLF mark is reproduced within the disputed domain name <birdiegirlgolf.net>. Accordingly, the disputed domain names are identical or confusingly similar to the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 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 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 the respondent. As such, 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the 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. The Respondent acknowledges prior awareness of the Complainant and its marks and used the disputed domain names to redirect to the Respondent's competing website (and then parked them for PPC advertising). This cannot be considered a domain name use in connection with a bona fide offering of goods or services for Policy purposes. Moreover, the Respondent is known by the mark BIRDIE BABE, not "Birdie Girl" and argues only that it has a legitimate interest in protecting that mark from competitors with confusingly similar terms. This cannot justify attacking the mark of a known competitor (which in this case holds multiple relevant marks, not only the one that the Respondent contests). It would be an absurdity to conclude that the Policy meant to legitimize "defensive" domain name registrations of similar name strings that infringe on the trademark rights of third parties.

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 the present case, the Panel notes that the Respondent has acknowledged awareness of the Complainant and its BIRDIE GIRL and formative marks before acquiring the disputed domain names. The Respondent has also acknowledged purposefully using them to redirect to the Respondent's competing website. They were later parked for PPC advertising while the federal civil action was pending between the Parties. These facts place the Respondent's conduct within the description of bad faith found in the Policy, paragraph 4(b)(iv), creating a likelihood of confusion with the Complainant's trademarks to attract Internet users for commercial gain. This is sufficient to find bad faith in the registration and use of the disputed domain names.

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

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at RDNH or to harass the domain-name holder, the Panel shall declare in its Decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the Complaint is not, on its own, sufficient to constitute RDNH. [WIPO Overview 3.1](#), section 4.16.

Given that the Panel finds merit in the Complaint as filed, the Panel does not find that the Complaint has been brought in bad faith and constitutes an attempt at RDNH.

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 names <birdiegirl.com> and <birdiegirlgolf.net> be transferred to the Complainant.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: April 2, 2026