

ADMINISTRATIVE PANEL DECISION

Herman World, Inc. v. Luc Thi Bich Huyen
Case No. D2026-0542

1. The Parties

The Complainant is Herman World, Inc., United States of America (“United States”), represented by Dinsmore & Shohl LLP, United States.

The Respondent is Luc Thi Bich Huyen, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <peeweeplayhouse.shop> is registered with Cosmotown, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 9, 2026. On February 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 12, 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 (Registrant Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 13, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on the same day.

The Center verified that the Complaint together with the amendment to 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 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 16, 2026.

The Center appointed Jane Seager as the sole panelist in this matter on March 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

The Complainant is a corporation organized under the laws of the State of California, United States. The Complainant is the successor-in-interest to the intellectual property rights of the late Paul Reubens, best known for his Pee-Wee Herman persona. The character of Pee-Wee Herman was created in the late 1970s and was publicly portrayed by Reubens for over 35 years. During that time, the character of Pee-Wee Herman appeared in multiple feature films and in the television program "Pee-Wee's Playhouse", which ran for five seasons in the late 1980s.

The Complainant and its predecessor have been engaged in merchandising related to the Pee-Wee Herman persona and the television program "Pee-Wee's Playhouse", including products such as clothing, jewellery, printed materials, puzzles, games, and toys. The Complainant is the owner of, inter alia, the following trademarks:

- United States Trademark Registration No. 5151383, PEE-WEE HERMAN, registered on February 28, 2017;
- United States Trademark Registration No. 6609739, PEE-WEE HERMAN, registered on January 4, 2022; and
- United States Trademark Registration No. 7388750, PEE-WEE HERMAN, registered on May 14, 2024.

The Respondent, who has not been active in this proceeding, appears to be an individual based in Viet Nam.

The disputed domain name was registered on August 7, 2025. The disputed domain name resolves to a website (the "Respondent's website") that purports to offer a variety of merchandise associated with the character Pee-Wee Herman. The Respondent's website claims to be the "OFFICIAL Merchandise Store" and an "Officially Licensed Pee Wee's Playhouse Merch Store".

5. Parties' Contentions

A. Complainant

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

The Complainant asserts rights in the PEE-WEE HERMAN trademark. The Complainant further asserts common-law trademark rights in "Pee-Wee" and "Pee-Wee's Playhouse". The Complainant argues that the disputed domain name is confusingly similar to its trademarks.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent is not authorized or licensed to use the Complainant's trademark. The Complainant asserts that the Respondent is illegitimately holding itself out as an official supplier of Pee-Wee Herman-branded merchandise. The Complainant further submits that the Respondent is not commonly known by the disputed domain name.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant argues that the Respondent had actual knowledge of the Complainant's rights when registering the disputed domain name and is attempting to trade off the Complainant's reputation by falsely claiming to be the official merchandise store for the Complainant's merchandise.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) The disputed domain name was 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 disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Panel finds that the Complainant has established rights in the trademark PEE-WEE HERMAN, the registration details of which are provided in the factual background section above. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name differs from the Complainant's PEE-WEE HERMAN trademark in that it omits the hyphen and space from the mark and replaces the "HERMAN" element of the mark with the term "playhouse". The Panel finds that a dominant element of the Complainant's trademark, i.e., "PEE-WEE" is clearly recognizable as the leading element in the disputed domain name.

Although the addition of other terms, here, "playhouse", may bear on assessment of the second and third elements, the Panel finds the addition of such a 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 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.

There is no evidence to suggest that the Respondent has been granted a licence or any other permission to use the Complainant's trademark, in a domain name or otherwise.

As noted above, the disputed domain name resolves to a website that purports to offer Pee-Wee Herman-branded merchandise.

Panels have recognized that resellers, distributors, or service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. [WIPO Overview 3.1](#), section 2.8. See also *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The Complainant asserts (and the Respondent has not denied) that the Respondent's website is being used to sell products that do not originate from the Complainant and are not authorized by the Complainant. The Panel further notes that the Respondent's website fails to accurately and prominently disclose its non-affiliation with the Complainant. Rather, the Respondent's website claims that it is "the OFFICIAL Merchandise Store" and an "Officially Licensed Pee Wee's Playhouse Merch Store". Effectively, the Respondent is impersonating an officially-licensed store selling official Pee-Wee Herman merchandise. The Panel considers that such use of the disputed domain name is misleading and does not amount to legitimate use of the disputed domain name as an unauthorized reseller of the Complainant's goods. The Panel finds that the Respondent is not making use of the disputed domain name in connection with a bona fide offering of goods or services pursuant to paragraph 4(c)(i) of the Policy.

The Panel finds that the Respondent's use of the disputed domain name as described above does not support any legitimate claim of being commonly known by the disputed domain name, as contemplated by paragraph 4(c)(ii) of the Policy.

Nor is the Respondent making any legitimate noncommercial or fair use of the disputed domain name within the meaning of paragraph 4(c)(iii) of the Policy. Indeed, noting the similarity between the disputed domain name and the title of the Complainant's television program, "Pee-Wee's Playhouse", the Panel finds that the disputed domain name carries a risk of implied affiliation with the Complainant, further undermining any reasonable claim of fair use.

In light of the above, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed 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.

The disputed domain name was registered in August 2025, decades after the creation of the widely-known Pee-Wee Herman character and years after the Complainant's registration of the PEE-WEE HERMAN trademark. It is clear, from the Respondent's use of the disputed domain name, that the Respondent registered the disputed domain name with actual knowledge of the Complainant and the Complainant's rights in the PEE-WEE HERMAN trademark. The Panel finds that the Respondent registered the disputed domain name in order to create a misleading impression of association with the Complainant, with a view to engaging in activity aimed at exploiting the Complainant's reputation, in bad faith.

The Panel finds that the Respondent's use of the disputed domain name to resolve to a website that claims to be an "OFFICIAL Merchandise Store" and an "Officially Licensed Pee-Wee's Playhouse Merch Store" – while the Complainant claims that such goods are not licensed and do not originate from the Complainant – is clearly intended to mislead consumers and to trade off the Complainant's goodwill and reputation for commercial gain. The Panel finds that by using the disputed domain name in this manner, the Respondent has attempted to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods purportedly offered therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

The Panel finds that the 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 <peeweeplayhouse.shop> be transferred to the Complainant.

/Jane Seager/

Jane Seager

Sole Panelist

Date: April 6, 2026