

ADMINISTRATIVE PANEL DECISION

Delta Defense, LLC v. Ruowei Zheng
Case No. D2025-0302

1. The Parties

The Complainant is Delta Defense, LLC, United States of America (“US”), represented by RYAN KROMHOLZ & MANION, S.C., United States of America.

The Respondent is Ruowei Zheng, China.

2. The Domain Name and Registrar

The disputed domain name <uscmaa.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 24, 2025. On January 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 29, 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 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 January 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 20, 2025.

The Center appointed Clive Duncan Thorne as the sole panelist in this matter on February 25, 2025. 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 operates in the business of the sale and marketing of self-defense education, firearms training, and self-defense liability insurance to potential members of the US Concealed Carry Association or USCCA as it is known. It provides sales, marketing, operations, and administrative support services to USCCA. USCCA is an association of firearm owners that exists for the purpose of educating and training its members in relation to firearms, lawful self-defense, responsibility, safety, and preparedness. Individuals are able to purchase membership of USCCA.

Since November 1, 2012, the Complainant and/or USCCA have continuously used a shield design logo in interstate commerce in conjunction with their membership services. This logo was registered by the Complainant as US Registration No. 4,776,248 in classes 16, 35, 36 and 41 on July 21, 2015. A copy of the Certificate of Registration is exhibited as Annex 2 to the Complaint. The Complainant points out that this registration is primarily for printed matter and online publications including educational and training material relating to its activities.

The Complainant has on August 18, 2020, registered the same logo as US Registration No. 6,130,426 in class 25 in respect of clothing items. The Certificate of Registration is exhibited as Annex 3 to the Complaint.

The Complainant also relies upon two US trade mark registrations for the mark USCCA. These are No. 4,221,838 in class 35 registered on October 9, 2012 for association services, and No. 6,130,427 in class 25 registered on August 18, 2020 for clothing items. Copies of the Certificates of Registration are exhibited as Annexes 4 and 5 respectively.

The Panel notes that the trade mark registrations relied upon by the Complainant were registered before the date of registration of the disputed domain name on September 8, 2024.

The Complainant also has an active presence on the Internet and maintains its website and other sites to advertise its goods and services. It has registered the domain name <uscca.com> which can be used to access the Complainant's website "www.usconcealedcarry.com".

The Complainant adduces evidence of an allegedly counterfeit website accessed by the disputed domain name <usccaa.com>. A copy of the website is exhibited at Annex 6 to the Complaint. The Complainant points out that the website has copied photographs of USCCA and also copied the design of an authentic USCCA website. The website prominently uses the Complainant's USCCA logo, the subject of the trade mark registrations exhibited at Annexes 2 and 3. It also refers expressly to "USCCA-LEGAL DEFENSE FOUNDATION". The website purports to offer a "USCCA Package", sell a USCCA Magazine Subscription, and access liability insurance from USCCA partners.

In the absence of a Response the Panel finds the above evidence adduced by the Complainant to be true.

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.

Notably, the Complainant contends that:

- i. the disputed domain name is confusingly similar to the Complainant's trade marks consisting both of USCCA and a logo incorporating USCCA;

- ii. there is no evidence that the Respondent has rights or legitimate interests in respect of the disputed domain name;
- iii. the evidence of the Respondent's counterfeit website shows that the disputed domain name was registered and used in bad faith.

B. Respondent

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

6. Discussion and Findings

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 trade mark and the disputed 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The dominant element of the disputed domain name is the letters "usccaa" which is confusingly similar to the Complainant's trade marks USCCA.

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 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 3.0](#), 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.

Panels have held that the use of a domain name for illegal activity, here claimed use of a website for fraudulent purposes including impersonation, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 finds that the Respondent utilizes the disputed domain name for the purpose of accessing the website exhibited at Annex 6 which is used as part of a fraudulent scheme to defraud unsuspecting users into paying for goods and services misrepresented as those of the Complainant and accessed through a website designed to impersonate that of the Complainant.

Panels have held that the use of a domain name for illegal activity, here claimed use of a website for fraudulent purposes including impersonation, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Respondent registered and used the disputed domain name to cause users of its website to mistakenly believe that the disputed domain name is otherwise affiliated with or used with the consent of the Complainant.

The Panel also takes into account that the Respondent has provided false contact information when registering the disputed domain name including an inoperable telephone number and the inoperable postal address without any specific street or other identifying features, which is demonstrably false.

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 <usccaa.com> be transferred to the Complainant.

/Clive Duncan Thorne/

Clive Duncan Thorne

Sole Panelist

Date: March 11, 2025