

## **ADMINISTRATIVE PANEL DECISION**

Williams-Sonoma, Inc. v. Theresa W Chavez  
Case No. D2025-0808

### **1. The Parties**

Complainant is Williams-Sonoma, Inc., United States of America ("U.S.") represented by Hanson Bridgett LLP, U.S.

Respondent is Theresa W Chavez, U.S.

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

The disputed domain name <williams-sonomas.com> (the "Domain Name") is registered with NameSilo, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 26, 2025. On February 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 28, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted For Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to Complainant on February 28, 2025, 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 March 1, 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 Respondent of the Complaint, and the proceedings commenced on March 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on March 25, 2025.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on March 28, 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**

Complainant is a home goods retailer and manufacturer whose various brands include WILLIAMS SONOMA, launched in 1956. Since then, Complainant has continuously offered a full line of in-house designed products for the home, from kitchenware to furniture using the WILLIAMS SONOMA mark, either alone or in combination with other marks through catalogs, online storefronts such as “www.williams-sonoma.com” (the “Williams-Sonoma.com Website”), and over 150 retail store locations worldwide. The Williams-Sonoma.com Website is also available via the domain name <williamssonoma.com>.

Complainant owns numerous registered trademarks in the U.S. and worldwide for the WILLIAMS SONOMA and the WILLIAMS-SONOMA marks, either alone or in combination with other marks, including:

- U.S. trademark registration number 2,442,099 for the WILLIAMS SONOMA word mark, registered on April 10, 2001;
- U.S. trademark registration number 2,353,758 for the WILLIAMS SONOMA word mark, registered on May 30, 2000;
- United Kingdom trademark registration number UK00002616947 for the WILLIAMS-SONOMA word mark registered on August 10, 2012; and
- European Union trademark registration number 011728631 for the WILLIAMS-SONOMA word mark, registered on September 12, 2013.

Complainant’s WILLIAMS SONOMA and WILLIAMS-SONOMA trademarks will hereafter be referred to as “Complainant’s WILLIAMS SONOMA trademarks.”

Complainant also owns and operates its Williams-Sonoma.com Website at <williams-sonoma.com>, which it has operated since 1997. This website serves as the primary official Internet presence and access point for consumers viewing and purchasing goods in connection with Complainant’s WILLIAMS SONOMA mark, and learning about Complainant and its WILLIAMS SONOMA brand.

The Domain Name was registered on February 18, 2025 and at the time of filing of the Complaint, redirected to a website that displayed Complainant’s WILLIAMS SONOMA trademark, impersonated Complainant, allegedly offering various products at discounted prices.

#### **5. Parties’ Contentions**

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

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant’s trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations for WILLIAMS SONOMA and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known WILLIAMS SONOMA products and services.

Complainant notes that it has no affiliation with Respondent, and that Respondent is posing as Complainant, by hosting a website that passes itself off as Complainant, featuring Complainant's copyrighted images and listings for Complainant's products, which are allegedly offered at a deep discount, on the website to which the Domain Name resolves.

Complainant further contends that Respondent is using the Domain Name as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the Domain Name. Further, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

## **B. Respondent**

Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the 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 Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)) states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

### **A. Identical or Confusingly Similar**

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.0](#), section 1.2.1.

Complainant has provided evidence of its rights in the WILLIAMS SONOMA trademarks, as noted above under section 4. Complainant has therefore proven that it has the requisite rights in the WILLIAMS SONOMA trademarks.

With Complainant's rights in the WILLIAMS SONOMA trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it is registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant's WILLIAMS SONOMA trademarks. The WILLIAMS SONOMA trademark is recognizable in the Domain Name.

In particular, the Domain Name's inclusion of Complainant's WILLIAMS SONOMA trademark in its entirety, with an addition of a hyphen "-" between WILLIAMS and SONOMA and the addition of the letter "s" following

the WILLIAMS SONOMA mark, or, the addition of the letter “s” following the WILLIAMS-SONOMA mark does not prevent a finding of confusing similarity between the Domain Name and the WILLIAMS SONOMA trademarks respectively.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

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

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its WILLIAMS SONOMA trademarks, and does not have any rights or legitimate interests in the Domain Name. In addition, Complainant asserts that Respondent is not authorized to promote Complainant's goods or services and is not related to Complainant. Respondent is also not known to be associated with the WILLIAMS SONOMA trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of filing of the Complaint, Respondent has used the Domain Name to imitate Complainant and its Williams Sonoma brand, by hosting a website that passes itself off as Complainant, including the use of Complainant's WILLIAMS SONOMA trademark, copyrighted images, listings for Complainant's products which are allegedly offered at a deep discount and featuring the history of Complainant's Williams Sonoma brand under the “About Us” page on Respondent's website. UDRP panels have consistently held that use of a domain name for illegal activity — such as impersonation or passing off — can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

- “(i) circumstances indicating that you have registered or you have 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 your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have 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 you have engaged in a pattern of such conduct; or

- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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 your website or location or of a product or service on your website or location."

The Panel finds that Complainant has provided ample evidence to show that registration and use of the WILLIAMS SONOMA trademarks long predate the registration of the Domain Name. Complainant is also well established and known. Indeed, the record shows that Complainant's WILLIAMS SONOMA trademarks and related products and services are widely known and recognized. Therefore, the Panel is of the view that Respondent was aware of the WILLIAMS SONOMA trademarks when it registered the Domain Name. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel thus finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the composition of the Domain Name, which includes Complainant's WILLIAMS SONOMA trademark and an additional letter "s" suggests Respondent's actual knowledge of Complainant's rights in the WILLIAMS SONOMA trademarks at the time of registration of the Domain Name and its effort to opportunistically capitalize on the registration and use of the Domain Name.

Moreover, Respondent registered and is using the Domain Name to confuse and mislead consumers looking for bona fide and well-known WILLIAMS SONOMA products and services of Complainant or authorized partners of Complainant. In particular, at the time of filing of the Complaint, Respondent used the Domain Name in an attempt to direct Internet users looking for Complainant's products and services to its website by impersonating Complainant and its Williams Sonoma brand, including the use of WILLIAMS SONOMA trademark, Complainant's copyrighted images, listings for Complainant's products which are allegedly offered at a deep discount and featuring the history of Complainant's Williams Sonoma brand under the "About Us" page on the website.

UDRP panels have consistently held that Respondent's use of the Domain Name to trade off goodwill in Complainant's well-known trademark and impersonate Complainant constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#).

Further, the Panel also notes the failure of Respondent to submit a response.

Accordingly, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <williams-sonomas.com> be transferred to the Complainant.

/Kimberley Chen Nobles/

**Kimberley Chen Nobles**

Sole Panelist

Date: April 11, 2025