

ADMINISTRATIVE PANEL DECISION

CLEAR Design Group, LLC on behalf of Dann Spader of Sonlife Ministries v.
Eloise Crumbley
Case No. D2025-1231

1. The Parties

The Complainant is CLEAR Design Group, LLC on behalf of Dann Spader of Sonlife Ministries, United States of America ("United States"), represented by 101domain.com, United States.

The Respondent is Eloise Crumbley, Germany.

2. The Domain Name and Registrar

The disputed domain name <4chairdiscipling.com> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 26, 2025. On March 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 27, 2025, 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 (Information not available on WHOIS / Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 28, 2025, 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 amended Complaint on April 2, 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 the Respondent of the Complaint, and the proceedings commenced on April 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 30, 2025.

The Center appointed Mihaela Maravela as the sole panelist in this matter on May 5, 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

According to information in the Complaint, the Complainant is an agency that holds brand rights over 4 CHAIR DISCIPLING, which is the title of a book written in 2014 by Dann Spader, founder of Sonlife Ministries (collectively the “Complainant”). According to the Complaint, the mentioned book is well known in the Christian community as a literary text providing information on the disciple-making culture of scripture life.

Also, according to information in the Complaint, the Complainant has spent time, money, and effort in promoting and advertising the 4 CHAIR DISCIPLING book, establishing the Complainant’s rights in the mark. Specifically, the Complainant has used the 4 CHAIR DISCIPLING trademark since as early as 2014, to sell the mentioned book and to promote related educational activities.

As per the Complaint, the disputed domain name was initially registered by the Complainant in 2014, but was inadvertently allowed to lapse in 2024. The Complainant further claims that during the mentioned period, it exclusively owned and operated the website available at the disputed domain name and used the site to sell the 4 CHAIR DISCIPLING book, and promote its educational services under this name. The Complainant has provided evidence showing that Sonlife Ministries was a registrant of the disputed domain name at least between 2019 – 2020.

The disputed domain name was registered by the Respondent on April 18, 2024, and was used to point to a website with adult content. At the date of the Decision, the disputed domain name no longer resolves to an active website.

The Complainant has sent a Cease-and-Desist Letter to the Respondent, but received no response. No information is available on the Respondent apart from the data revealed by the Registrar.

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, as described in the factual section above, the Complainant contends that it has consistently and consecutively used their distinctive 4 CHAIR DISCIPLING brand term since 2014 to grow widespread recognition in the Christian community, establishing common law trademark rights. As such, the Complainant has offered educational services and different mediums of teachings on the disputed domain name under the brand 4 CHAIR DISCIPLING. Further, the Complainant argues that the disputed domain name is identical or confusingly similar to its brand 4 CHAIR DISCIPLING for which it acquired common law trademark rights.

The Complainant submits that it became aware of the disputed domain name’s inadvertent expiration when the Complainant was notified by a customer and with that occasion the Complainant discovered that the disputed domain name was redirecting to a website with adult content. The Complainant argues that the Complainant has not licensed nor allowed the Respondent to use 4 CHAIR DISCIPLING for any purpose. According to the Complainant, such use by the Respondent, diverting potential customers away from the Complainant’s brand and promotional materials, in an attempt to navigate them to the Respondent’s website with adult content is meant to disrupt the Complainant’s business and tarnish the Complainant’s established reputation built around the 4 CHAIR DISCIPLING common law trademark. Further, the Complainant submits

that it is its belief in good faith, that the Respondent has no registered trademarks using 4 CHAIR DISCIPLING and it is not commonly known by the disputed domain name.

With respect to the third element, the Complainant submits that when users conduct a quick Internet search of 4 CHAIR DISCIPLING, the first and the large majority of the results directs users to Dann Spader's book and his disciple-centered movement dedicated to this brand term. By the Respondent using the disputed domain name to display explicit and crude adult content, the Respondent is purposefully attempting to aggregate Internet traffic based on the disputed domain name's reputation for wrongful means and cause confusion among the Complainant's audience and community.

B. Respondent

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

6. Discussion and Findings

No response has been received from the Respondent in this case. Accordingly, the Panel considers it can proceed to determine the Complaint based on the statements and documents submitted by the Complainant as per paragraph 15(a) of the Rules. The applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence", and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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 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 the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

As noted above, the Complainant does not hold a registered trademark for 4 CHAIR DISCIPLING, but submits it acquired common law trademark rights. The Panel accepts this argument and finds that the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

To establish unregistered or common law trademark rights for purposes of the UDRP, a complainant must show that its mark has become a distinctive identifier which consumers associate with the complainant's goods and/or services. Relevant evidence of such secondary meaning includes length and amount of sales under the mark, the nature and extent of advertising, consumer surveys and media recognition. The fact that the secondary meaning may only exist in a small geographic area does not preclude the complainant from establishing rights in a common law trademark. See [WIPO Overview 3.0](#), section 1.3.

In support of its claimed rights, the Complainant has provided screen captures of its previous website at the disputed domain name that include promotion and offer for sale of the book 4 CHAIR DISCIPLING, as well as various promotional materials, pictures of book release events, or events promoting the book 4 CHAIR DISCIPLING, and blogs and other commentators referring to the 4 CHAIR DISCIPLING book or the website to show that it has become distinctive of the Complainant's goods and services. In addition, considering the circumstances surrounding the registration of the disputed domain name, the Panel finds that the un rebutted evidence filed by the Complainant proves that 4 CHAIR DISCIPLING has acquired sufficient relevant

secondary meaning in connection with the Complainant's goods or services offered under the mentioned sign sufficient to confer unregistered trademark rights on the Complainant for the purposes of the UDRP. The Panel thus finds that the Complainant has established trademark rights in 4 CHAIR DISCIPLING for the purposes of paragraph 4(a)(i) of the Policy.

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

There is no evidence that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services, nor does the Respondent appear to engage in any legitimate noncommercial or fair use of the disputed domain name within the meaning of paragraphs 4(c)(i) and (iii) of the Policy. The fact that the disputed domain name resolved to an active website with adult content does not indicate any legitimate interest. Also, the evidence demonstrates that the disputed domain name was registered opportunistically by the Respondent after the previous registration by the Complainant was allowed to lapse. The Panel considers that such use does not confer rights or legitimate interests on the Respondent. The Respondent has not replied to the Complainant's contentions, claiming any rights or legitimate interests in the disputed domain name.

Also, there is no evidence that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy.

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.

By registering the disputed domain name after it was inadvertently allowed to lapse following a period of registration and use by the Complainant, and by using it in the manner described above, it is clear to the Panel that the Respondent registered the disputed domain name with the Complainant in mind having no

intent to use the disputed domain name for any purpose other than trading off the Complainant's rights. As regards the use of the disputed domain name, from the uncontested evidence in the case file, it results that the disputed domain name was used for a website with explicit adult content. Such (unrelated to the Complainant's business) use of the disputed domain name, which is identical to the Complainant's trademark, is likely to unduly profit from the value of the Complainant's trademark and may result in its tarnishing, especially since the Complainant's trademark is used in a religious educational field. In addition, the Respondent concealed its identity through the use of a proxy service.

Moreover, the Respondent has not formally participated in these proceedings and has failed to rebut the Complainant's contentions.

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 <4chairdiscipling.com> be transferred to the Complainant.

/Mihaela Maravela/

Mihaela Maravela

Sole Panelist

Date: May 16, 2025