

ADMINISTRATIVE PANEL DECISION

Safariland, LLC v. xiao qi
Case No. D2025-1389

1. The Parties

Complainant is Safariland, LLC, United States of America (“United States”), represented by Kane Kessler, PC, United States of America.

Respondent is xiao qi, United States of America.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 4, 2025. On April 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 7, 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 (Redacted for Privacy Purposes, Privacy Service Provided by Withheld for Privacy ehf.) and contact information in the Complaint. The Center sent an email communication to Complainant on April 8, 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 April 11, 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 April 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 12, 2025.

The Center appointed Georges Nahitchevansky as the sole panelist in this matter on May 16, 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, Safariland, LLC, is a producer and seller of protective equipment products for, inter alia, law enforcement, military and security professionals. Complainant owns and uses the name and mark SAFARILAND in connection with its products and services and owns registrations for the SAFARILAND mark in the United States. These include word mark registrations for SAFARILAND (Nos. 3,995,719, 4,194,908, 5,930,123), the earliest of which issued to registration on July 19, 2011, and a logo registration with the SAFARILAND name (No.1,873,761) that issued to registration on January 17, 1995. Complainant also owns and uses the domain name <safariland.com> to provide information regarding Complainant and its products and for an ecommerce website.

Respondent appears to be based in the United States. Respondent registered the disputed domain name on November 28, 2024. At some point thereafter, Respondent used the disputed domain name for a website showing Complainant's existing logo with the name "safarilandj.shop" and offering protective equipment and related products for sale, including a number of Complainant's products. That website is currently active.

5. Parties' Contentions

A. Complainant

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

Notably, Complainant contends that it has strong rights in the SAFARILAND mark by virtue of its longstanding use of the SAFARILAND mark for its products and its several trademark registrations for that mark. Complainant asserts that the disputed domain name is confusingly similar as it fully incorporates the SAFARILAND mark in its entirety and merely adds the letter "j" at the tail of the disputed domain name. Lastly, Complainant argues that Respondent does not have a legitimate interest in the disputed domain name and is acting in bad faith as Respondent is not commonly known by the disputed domain name, has no rights in the SAFARILAND mark and is using the disputed domain name to attract and redirect consumers to a website that is passing itself off as a website connected to Complainant for the purpose of selling counterfeit versions of Complainant's products.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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

- (i) the disputed 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 disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

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. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)") at section 1.7. Complainant has provided evidence that it owns trademark registrations for the SAFARILAND mark and that such issued to registration well before Respondent registered the disputed domain name.

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 Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Here, the disputed domain incorporates the SAFARILAND mark at the head of the disputed domain name.

Although the addition of the letter "j" at the end of the disputed domain name may bear on the assessment of the second and third elements, the Panel finds the addition of such letter does not prevent a finding of confusing similarity between the disputed domain name and the SAFARILAND mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel thus finds that 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 a 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 that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Here, the disputed domain name is clearly based on Complainant's SAFARILAND mark, albeit with the non-distinguishing additional letter "j" at the tail of the disputed domain name. The website to which the disputed domain name resolves features Complainant's name and logo at the very top of every page, along with copies of photographs of Complainant's products, the names and marks used by Complainant for its various products and text that suggests that the website is an official website of Complainant. While it is not altogether clear whether the products being offered for sale on Respondent's website are actual counterfeits, or this is a website that accepts orders without fulfilling them, what is clear based on the evidence submitted is that Respondent is seeking to pass itself off as connected to Complainant for Respondent's profit. To be sure, the disputed domain name effectively impersonates Complainant and thus, on its face, carries a high risk of implied affiliation. As such, it is hard to see how Respondent could have any rights or legitimate interests in the disputed domain name. [WIPO Overview 3.0](#) at section 2.5.1.

Based on the foregoing, 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 view of Respondent's actions, and failure to appear in this proceeding, it is easy to infer that Respondent's registration and use of the disputed domain name that essentially copies Complainant's SAFARILAND mark for a website purporting to sell Complainant's products (and possible counterfeit versions of such) has been done in bad faith and opportunistically for the benefit or profit of Respondent. The disputed domain name essentially impersonates Complainant and was registered well after Complainant had established rights in its SAFARILAND mark. Indeed, as noted above, Respondent's website features Complainant's logo and mark, copies Complainant's product images, includes text that is directly lifted from Complainant's website and uses Complainant's products and marks, which in the aggregate looks to be an attempt to pass off Respondent's website as authorized by or affiliated with Complainant, when such is not the case. In all, Respondent's actions, including the registration of the disputed domain name based on the SAFARILAND mark, makes it clear that Respondent was fully aware of Complainant and its SAFARILAND mark and specifically chose to target Complainant in bad faith.

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

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: May 27, 2025