

## **ADMINISTRATIVE PANEL DECISION**

Lancaster Archery Supply, Inc. v. Hass Kenneth  
Case No. D2025-1503

### **1. The Parties**

Complainant is Lancaster Archery Supply, Inc., United States of America ("United States"), represented by Greenberg Traurig, LLP, United States.

Respondent is Hass Kenneth, United States.

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

The disputed domain name <lanasterarcheryworld.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 12, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 15, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on April 16, 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 18, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 15, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 16, 2025.

The Center appointed Timothy D. Casey as the sole panelist in this matter on June 3, 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 has been in business since 1983 and presently retails archery, hunting and outdoor lifestyle goods. Complainant has used the LANCASTER ARCHERY SUPPLY trademark since 1983. Complainant has utilized the <lancasterarchery.com> domain name for a website associated with its business for over two decades. Complainant has common law rights and registrations for numerous word and design trademarks for LANCASTER ARCHERY SUPPLY (the “LANCASTER ARCHERY SUPPLY Marks”), including the following:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
LANCASTER ARCHERY SUPPLY	United States	37	7,642,166	January 7, 2025
LANCASTER ARCHERY SUPPLY	United States	28	7,642,163	January 7, 2025
LANCASTER ARCHERY SUPPLY	United States	8	7,659,392	January 21, 2025
LANCASTER ARCHERY SUPPLY	United States	35	7,639,194	January 7, 2025
LANCASTER ARCHERY SUPPLY	United States	35	2,997,584	September 20, 2005

The disputed domain name was registered on February 18, 2025. At the time of filing the Complaint, the disputed domain name resolved to a website marketing and selling archery-related goods.

#### 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 its trademark registrations in the United States predate registration of the disputed domain name and that its common law rights extend back to 1983, thereby establishing its rights in the LANCASTER ARCHERY SUPPLY Marks. Complainant contends the disputed domain name is confusingly similar to and virtually identical to the LANCASTER ARCHERY SUPPLY Marks as a result of copying the mark and substituting the term “supply” for the term “world.” Complainant contends that the LANCASTER ARCHERY SUPPLY Marks are clearly recognizable within the disputed domain name, and the addition of the generic top level domain (“gTLD”) and generic terms are inconsequential and do not prevent a finding of confusing similarity.

Complainant contends Respondent has no rights or legitimate interest in the disputed domain name, is not commonly known by the disputed domain name, has not used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, and has not been authorized, licensed or otherwise permitted by Complainant to register or use the disputed domain name.

Complainant contends that Respondent is using the disputed domain name to host a website that impersonates and purports to be Complainant's website. Complainant contends that Respondent had no reason to use the term “lancaster” in connection with “archery,” but for an attempt to trade off of

Complainant's good will and to replicate its website. While Respondent's website identifies itself as an "archery equipment shop" it also identifies itself by the disputed domain name on the footer of the website and does so in bad faith. Complainant further contends that Respondent's activities evidence Respondent's actual knowledge of Complainant's business and the LANCASTER ARCHERY SUPPLY Marks at the time of registration of the disputed domain name, thereby showing bad faith registration.

The Complainant alleges that the disputed domain name also purports to sell same and/or similar archery, hunting, and outdoor lifestyle supplies for deeply discounted prices.

## **B. Respondent**

Respondent did not reply to 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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable 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.

Although the addition of other terms here, the added term "world" in place of the term "supply," may bear on assessment of the second and third elements, the Panel finds the addition of such 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 3.0](#), 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 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 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.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off 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 notes that Respondent registered the disputed domain name after Complainant had registered its trademarks and its use of the term “lancaster” in combination with “archery” show evidence of Respondent’s prior knowledge of LANCASTER ARCHERY SUPPLY Marks, which shows registration in bad faith. The Panel also finds Respondent’s copying of aspects of Complainant’s website and the Respondent’s intention of selling purported Complainant’s products with a considerable discount as an intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant’s LANCASTER ARCHERY SUPPLY Marks.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

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

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 <lancasterarcheryworld.com> be transferred to Complainant.

*/Timothy D. Casey/*

**Timothy D. Casey**

Sole Panelist

Date: June 17, 2025