

ADMINISTRATIVE PANEL DECISION

JB IP, LLC v. Adam walker and Cody Maher

Case No. D2025-1555

1. The Parties

The Complainant is JB IP, LLC, United States of America ("United States"), represented by REDROC IP LLC, United States.

The Respondents are Adam walker, United States, and Cody Maher, United States.

2. The Domain Names and Registrar

The disputed domain names <jungleboysshop.com> and <junglesboys.com> are registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 16, 2025. On April 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 21, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names that differed from the named Respondent (Domain Admin, Whoisprotection.cc) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint for the disputed domain name associated with a different underlying registrant or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on April 29, 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 Respondents of the Complaint, and the proceedings commenced on May 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2025. The Respondents did not submit any response. Accordingly,

the Center notified the Respondents' default on May 23, 2025. On June 4, 2025, the Respondent Adam walker submitted correspondence via email to the Center stating, "all these claims are bullshit we shall get our lawyers sue you all for violation of intellectual property rights."

The Center appointed Steven Auvil as the sole panelist in this matter on June 2, 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 the Complaint, the Complainant is a United States limited liability cannabis company that has conducted business under the brand name JUNGLE BOYS since 2016. The Complainant also owns and operates retail stores in the United States for the JUNGLE BOYS brand.

The Complainant is the owner of United States trademark registration No. 7134110 for JUNGLE BOYS, registered August 8, 2023, United States trademark registration No. 7391870 for JUNGLE BOYS, registered May 21, 2024, and United States trademark registration No. 7604907 for JUNGLE BOYS, registered December 17, 2024. The Complainant is also the owner of International trademark registration No. 1620669 for JUNGLE BOYS, registered April 5, 2021, in addition to International registrations Nos. 1763500 and 1763498 for JUNGLE BOYS, both registered on October 12, 2023, and International registration No. 1787506 for JUNGLE BOYS, registered February 14, 2024.

The Complainant also claims that it owns three domain names incorporating the JUNGLE BOYS mark: <jungleboysclothing.com>, registered in 2016, <jungleboys.com>, registered in 2000, and <jungleboysflorida.com>, registered in 2020.

Respondent Adam walker registered the disputed domain name <junglesboys.com> on May 14, 2024, and Respondent Maher registered the disputed domain name <jungleboysshop.com> on June 26, 2024. Both disputed domain names currently resolve to websites offering the same goods and service as those offered on the Complainant's websites and feature the Complainant's JUNGLE BOYS mark and the statements "Jungle Boys official [...] weed Shop" and "Jungle Boys Dispensary is an official licensed marijuana dispensary."

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 names.

The Complainant first contends that the disputed domain names are confusingly similar to the Complainant's JUNGLE BOYS mark, having utilized the Complainant's mark in its entirety.

Second, the Complainant contends that the Respondents each have no rights or legitimate interests in the disputed domain names. The Complainant contends that it did not authorize the Respondents to use its JUNGLE BOYS mark, and that the Respondents registered the disputed domain names to divert consumers from the Complainant's websites for commercial gain, evidencing that the Respondents are not making a legitimate noncommercial or fair use of the disputed domain names.

Third, the Complainant contends that the disputed domain names were registered and are being used in bad faith because the disputed domain names utilize the dominate portion of the Complainant's JUNGLE BOYS mark and the associated websites offer the same or highly related goods and services offered and sold by the Complainant. The Complainant contends that the Respondents have attempted to profit from the

Complainant's JUNGLE BOYS mark by passing themselves off as the Complainant and disrupt the Complainant's business and mislead consumers. The Complainant further asserts that the Respondents initially demanded USD 78,000 from the Complainant for each disputed domain name and later sought USD 100,000 for both domain names together.

The Complainant requests that the disputed domain names be transferred to the Complainant.

B. Respondents

The Respondents did not submit a substantive reply addressing the Complainant's contentions in the Complaint or the Amended Complaint. The Complainant has provided evidence of email correspondence with the Respondent Cody Maher offering initially the disputed domain names for sale to the Complainant for USD 78,000 each and later USD 100,000 for both domain names.

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following to obtain relief:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or a service mark in which the complainant has rights;
- (ii) that the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

In view of the Respondents' failure to submit a substantive Response, the Panel is entitled to accept as true the allegations set forth in the Complaint (unless the evidence is clearly contradictory), and to derive reasonable inferences from the evidence presented. See *Talk City, Inc. v. Michael Robertson*, WIPO Case No. [D2000-0009](#).

Based on the foregoing guidance, the Panel makes the following findings and conclusions based on the allegations and evidence contained in the Complaint, as amended, and reasonable inferences drawn from the evidence presented.

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to two different domain name registrants – one for each of the disputed domain names. The Complainant alleges that the disputed domain names are under common control. The Complainant requests the consolidation of the disputes against the registrants pursuant to paragraph 10(e) of the Rules.

It is within the discretion of the Panel to decide whether consolidation is appropriate. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11. In addressing the Complainant's request for consolidation, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.0](#), section 4.11.2.

The following factors bear on whether the domain names are under common control for purposes of assessing consolidation: "(i) the registrants' identity(ies) including pseudonyms, (ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites

corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s).” [WIPO Overview 3.0](#), section 4.11.2.

With respect to the issue of common control, the Complainant contends that after it received information regarding how to contact the Respondents, the Complainant emailed each of the Respondents on April 25, 2020, at the email addresses provided to settle the matter. The Respondent Cody Maher replied that he has authority over both domain names and could “transfer and sell [the disputed domains] anytime we deem fit and apposite” and offered to sell both disputed domains to the Complainant for USD 100,000. Further, both disputed domain names incorporate the JUNGLE BOYS marks in their entirety and are linked to websites that purport to sell the same goods as the Complainant.

The Panel concludes that the disputed domain names and associated websites are under common control for the purpose of assessing consolidation. This conclusion is supported by, among other evidence discussed above, the Respondent Cody Maher’s explicit statement, made in response to the Complainant’s inquiry, confirming that he had authority to sell the Respondent Adam walker’s disputed domain name. See *Bayerische Motoren Werke AG v. MIKE LEE / WHOISGUARD PROTECTED, WHOISGUARD, INC., Yang Xiao, Xiao Yang, Ning Li, Li Ning, MIKE LEE*, WIPO Case No. [D2016-2268](#); and *UNIQA Insurance Group AG v. Gabriele Marangoni, and Gornati Simona*, WIPO Case No. [D2023-1240](#).

The Panel also concludes that consolidation of the disputes would be fair and equitable under the circumstances. The Respondents are hereinafter collectively referred to as the “Respondent”.

Accordingly, the Panel decides to consolidate the disputes regarding the disputed domain names in a single proceeding.

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 a disputed domain name. [WIPO Overview 3.0](#), section 1.7. Additionally, as set forth in section 1.11.1 of the [WIPO Overview 3.0](#), the applicable generic Top-Level Domain (“gTLD”) (e.g., “.com”) is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. As such, the use of “.com” gTLD in the disputed domain names has no bearing on the confusing similarity analysis.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy as the Complainant owns trademarks for JUNGLE BOYS. [WIPO Overview 3.0](#), section 1.2.1. Moreover, the disputed domain names consist of the entirety of the Complainant’s JUNGLE BOYS mark with only the disputed domain name <junglesboys.com> including a letter “s” at the end of “jungle” and the disputed domain name <jungleboysshop.com> including additional term “shop.” The Panel finds that these differences between the disputed domain names and the Complainant’s JUNGLE BOYS mark do not prevent the finding of the confusing similarity. See *Carrefour SA v. Rogers Marcos, Marcos S Rogers*, WIPO Case No. [D2024-4873](#); and *ESH Strategies Branding, LLC v. Kumpol Sawaengkarn*, WIPO Case No. [D2011-0843](#).

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 a respondent may demonstrate rights or legitimate interests in a disputed domain name. Such circumstances include:

- (i) before any notice of the dispute, the respondent used, or prepared to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services;
- (ii) the respondent (as an individual, business, or other organization) is commonly known by the disputed domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

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 the production of 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 with the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the evidence and arguments of record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. In addition to the confusing similarity between the disputed domain names and the Complainant’s JUNGLE BOYS mark, the Complainant submits un rebutted evidence that the Respondent is using the disputed domain names to pass itself off as the Complainant. Panels have held that the use of domain names for illegitimate activity, such as 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, that shall be evidence of the registration and use of a domain name in bad faith if found by the Panel to be present.

Paragraph 4(b) of the Policy sets out a list of circumstances that suggest 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.

In the present case, the Panel concludes that the Respondent registered and used the disputed domain names in bad faith.

First, the disputed domain names incorporate the Complainant’s registered JUNGLE BOYS mark in its entirety, with only minor variations. This coupled with the use of the disputed domain names reflects bad faith.

Second, the evidence demonstrates that the Respondent seeks to extract a relatively large sum from the Complainant in exchange for transferring the disputed domain names. Under [WIPO Overview 3.0](#), section 3.1, “bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of

or otherwise abuses a complainant's mark . . . UDRP paragraph 4(b) provides that any one of the following non-exclusive scenarios constitutes evidence of a respondent's bad faith: (i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name 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 the respondent's documented out-of-pocket costs directly related to the domain name [...]. The Respondent has attempted to do just that, having solicited USD 78,000 and USD 100,000 from the Complainant for the disputed domain names - an amount likely far in excess of the cost to procure the disputed domain names. See *Bharti Airtel Limited v. Nyasa Hub, NyasaHub.com / Registration Private, Domains By Proxy, LLC*, WIPO Case No. [D2016-2589](#).

Third, the Panel finds that the Respondent has engaged in using the disputed domain names to mislead Internet users into believing they are affiliated with the Complainant. Panels have held that the use of a domain name for illegal activity such as passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Considering this and other circumstances, including the failure of the Respondent to respond substantively to the Complainant's contentions in the Complaint, the Panel finds that the Respondent knew of the Complainant's JUNGLE BOYS mark at the time of registering the disputed domain names and endeavored to unfairly capitalize on the mark for commercial gain. The Panel therefore concludes that the disputed domain names were registered and are being used in bad faith.

The Panel therefore 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 names <jungleboysshop.com> and <junglesboys.com> be transferred to the Complainant.

/Steven Auvil/

Steven Auvil

Sole Panelist

Date: June 16, 2025