

## **ADMINISTRATIVE PANEL DECISION**

JB IP, LLC v. Raregenetikzweed.com

Case No. D2025-1573

### **1. The Parties**

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

The Respondent is Raregenetikzweed.com, Cameroon.

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

The disputed domain names <jungleboysweed.com> and <jungleboysweedofficial.com> are registered with Eranet International Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 17, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 27, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registrar - Eranet International Limited) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 5, 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 amendment to the Complaint on May 10, 2025.

The Center verified that the Complaint together with the amendment to the 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 May 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 2, 2025. The Respondent sent several email communications to the Center on May 6, 10, 13, 25, and June 6, 2025. The Center informed the Parties that it would proceed to panel appointment on June 10, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on June 25, 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**

The Complainant is a Delaware limited liability company doing business in the cannabis industry. The Complainant also owns and operates under the JUNGLE BOYS mark retail stores in California and Florida.

The Complainant holds trademark registrations for JUNGLE BOYS, such as the following:

- United States trademark registration number 7134110 for JUNGLE BOYS (word), filed on October 5, 2020, and registered on August 8, 2023, for goods in International Classes 16, 21, and 34; and
- International trademark registration number 1620669 for JUNGLE BOYS (word), registered on April 5, 2021, for goods in International Classes 3, 18, 25, and 34.

The Complainant also owns domain names comprising the mark JUNGLE BOYS, such as <jungleboysclothing.com> registered on November 25, 2016; and <jungleboysflorida.com> registered on August 30, 2020. Moreover, the Complainant operates its main website via the domain name <jungleboys.com>.

The disputed domain name <jungleboysweed.com> was registered on February 17, 2022, and, the disputed domain name <jungleboysweedofficial.com> was registered on April 13, 2020.

At the time of filing of the Complaint, the disputed domain name <jungleboysweed.com> was used in connection with commercial websites, offering for sale purported JUNGLE BOYS branded products, also attempting to impersonate the Complainant by using unauthorized copies of the Complainant's official branding, text, and product images. Also, on the website under the disputed domain name <jungleboysweed.com>, the Respondent claimed copyright protection, and did not provide accurate contact information on the disputed domain name holder. The disputed domain name <jungleboysweedofficial.com> resolved to a Registrar parking page.

#### **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.

Notably, the Complainant contends that it is a company doing business as well-known JUNGLE BOYS and has been continuously using in commerce the mark JUNGLE BOYS in the cannabis industry since at least as early as 2016; the disputed domain names are identical or confusingly similar to its trademark because they utilize the JUNGLE BOYS trademark in its entirety; the Respondent has no rights or legitimate interests in the disputed domain names; the disputed domain names have been registered and are being used in bad faith, mainly since they are used to operate websites which attempt to impersonate the Complainant with the intent to trade on Complainant's recognition and goodwill; the disputed domain names utilize the dominant identity of the Complainant's mark and are linked to websites claiming to provide the same or highly related goods and services offered and sold by the Complainant without the Complainant's permission; it is clear that the Respondent is attempting to profit from the Complainant's recognized mark and also disrupts the Complainant's business and mislead consumers; by using the disputed domain names, the Respondent

intentionally attempts to attract commercial gain, Internet users to the Respondent's websites, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites or of a product on the Respondent's websites associated with the disputed domain names.

## **B. Respondent**

The Respondent did not substantially reply to the Complainant's contentions but sent several communications asking to regain access/unlock to the disputed domain names and their corresponding websites.

## **6. Discussion and Findings**

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the disputed domain names are 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 the disputed domain names; and
- (iii) the disputed domain names have been registered and are 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The 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 JUNGLE BOYS is recognizable within each of the disputed domain names. Accordingly, each of the disputed domain names is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, here "weed" and "weedofficial", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel notes that the disputed domain name <jungleboysweedofficial.com> predates the registration of the Complainant's registered trademarks. While the UDRP makes no specific reference to the date on which the holder of the trademark or service mark acquired its rights, such rights must be in existence at the time the complaint is filed. The fact that a domain name may have been registered before a complainant has acquired trademark rights does not, by itself, preclude a complainant's standing to file a UDRP case, nor a panel's finding of identity or confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.1.3.

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 non-exhaustive 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 names. The Respondent send several communications to the Center but did not address the Complainant’s allegations and, therefore, it 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 names such as those enumerated in the Policy or otherwise.

According to the evidence, the Respondent has used the disputed domain name <jungleboysweed.com> in connection with website purportedly promoting and offering for sale goods of the Complainant, displaying the Complainant’s trademark, and official product description and images, without providing any accurate and prominent disclaimer regarding the relationship between the Respondent and the Complainant. The Panels have held that the use of a domain name for illegal activity (such as claimed impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel also notes that the composition of the disputed domain names itself carries a risk of implied affiliation given that the Complainant’s trademark has been combined with the dictionary terms “weed” and “weed official”, closely related to Complainant’s business.

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 the disputed domain name <jungleboysweed.com> was registered in bad faith, with knowledge of the Complainant and its trademarks particularly since it incorporates the Complainant’s mark (registered since at least 2021) together with a dictionary term, closely related to the Complainant’s business, and is highly similar to the Complainant’s domain names.

The disputed domain name <jungleboysweedofficial.com> was registered several months before the Complainant’s first trademark filing.

As a general rule, where a respondent registers a domain name before the complainant’s trademark rights accrue, panels will not normally find bad faith on the part of the respondent. However, in certain limited circumstances where the facts of the case establish that the respondent’s intent in registering the domain name was to unfairly capitalize on the complainant’s nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith. See section 3.8.2 of the [WIPO Overview 3.0](#).

In the present case, the Complainant contends that it holds unregistered trademark rights in JUNGLE BOYS, primarily through use on the Internet, since at least 2016. The Respondent did not comment on the allegations made in the Complaint. The disputed domain name <jungleboysweedofficial.com> incorporates the Complainant's trademark JUNGLE BOYS in its entirety, together with "weed" and "official", which choice suggests knowledge of and an intent to trade off of the Complainant's nascent rights and domain names by falsely suggesting to be an official domain name of the Complainant. Therefore, the Panel is of the opinion that the Respondent was well aware of the Complainant and its business, and registered the disputed domain name <jungleboysweedofficial.com> in bad faith, targeting the Complainant. Moreover, the Panel notes that the use of the disputed domain name <jungleboysweed.com> further supports such targeting intent.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] web site or location or of a product or service on [the respondent's] web site or location" is evidence of registration and use in bad faith.

Given that the disputed domain names reproduce the Complainant's trademark (with dictionary terms related to Complainant's business), the websites operated under the disputed domain name <jungleboysweed.com> displays the Complainant's trademarks, official product images and description text, claims copyright protection, and has no disclaimer, indeed in this Panel's view, the Respondent has intended to attract Internet users accessing the websites corresponding to the disputed domain names who may be confused and believe that the disputed domain names are held, or controlled by the Complainant, or somehow affiliated with or related to the Complainant, for the Respondent's commercial gain. This activity may also disrupt the Complainant's business and tarnish its trademark.

Also, the use of a domain name for illegal activity such as claimed impersonation/passing off can never confer rights or legitimate interests on a respondent and it is considered evidence of bad faith. [WIPO Overview 3.0](#), section 3.4.

The Respondent chose not to provide any substantive arguments in its favor in these proceedings and, along with the other circumstances in this case, this may be a further sign of bad faith.

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 names <jungleboysweed.com> and <jungleboysweedofficial.com> be transferred to the Complainant.

*/Marilena Comanescu/*

**Marilena Comanescu**

Sole Panelist

Date: July 9, 2025