

## **ADMINISTRATIVE PANEL DECISION**

K & M International, Inc. d/b/a Wild Republic v. ning zeng  
Case No. D2025-1721

### **1. The Parties**

The Complainant is K & M International, Inc. d/b/a Wild Republic, United States of America (“United States” or “US”), represented by Meister Seelig & Fein LLP, United States.

The Respondent is ning zeng, China.

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

The disputed domain name <stuffedtoywildrepublic.com> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 1, 2025. On May 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 4, 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 originally-named Respondent (dynadot, Redacted for Privacy) 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 amended Complaint on May 6, 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 May 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 30, 2025.

The Center appointed Jonathan Turner as the sole panelist in this matter on June 4, 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 has carried on a business of designing, distributing and selling high quality toy products, including stuffed toy animals, under its house mark WILD REPUBLIC since 1999.

The Complainant registered WILD REPUBLIC as a word mark in the principal US register of trademarks in class 28 under No. 2,376,072 on August 8, 2000, and in class 25 under no. 5,727,081 on April 16, 2019. The Complainant also registered a logo containing the words WILD REPUBLIC in the principal US register of trademarks in class 28 under No. 5,139,042 on February 7, 2017.

The Complainant registered the domain name <wildrepublic.com> on October 16, 1998, and uses it to locate an online store selling its goods.

The Respondent registered the disputed domain name <stuffedtoywildrepublic.com> on May 17, 2024, and has used it to locate a website which purports to sell the Complainant's products at discounted prices. This website is similar in style to the Complainant's website and includes elements that have clearly been copied from the Complainant's website.

The Complainant had no prior relationship or association with the Respondent and has not authorized the Respondent to use the disputed domain name or the Complainant's WILD REPUBLIC mark or to copy content from the Complainant's website.

#### **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, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's registered mark WILD REPUBLIC, which is included in its entirety in the disputed domain name together with descriptive or general elements that do not avert confusion.

The Complainant further contends that the Respondent's use of the disputed domain name does not constitute a bona fide offering of goods or services, since the Respondent is impersonating the Complainant and misleading Internet users into supposing that it is the Complainant. The Complainant adds that the Respondent is not commonly known by the disputed domain name or any corresponding name and is not making a legitimate noncommercial or fair use of the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith, referring to paragraphs 4(b)(iii) and 4(b)(iv) of the Policy.

The Complainant requests a decision that the disputed domain name be transferred to it.

##### **B. Respondent**

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

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

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 entirety of the mark is reproduced within the disputed domain name. The other elements of the disputed domain name (namely, “stuffedtoy” and the Top-Level Domain “.com”) do not prevent a finding of confusing similarity. Accordingly, the disputed domain name is confusingly similar 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.

Panels have held that the use of a domain name for an illegitimate purpose such as impersonating the Complainant, as here, 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 finds that the circumstances set out in paragraph 4(b)(iv) of the Policy are present, in that by using the disputed domain name the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant’s mark as to the source of this website.

There is no contrary evidence. Accordingly, 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 <stuffedtoywildrepublic.com> be transferred to the Complainant.

*/Jonathan Turner/*

**Jonathan Turner**

Sole Panelist

Date: June 18, 2025