

## **ADMINISTRATIVE PANEL DECISION**

Molson Canada 2005, Coors Brewing Company, and Molson Coors Beverage Company v. Edward Cullen, Crescite Innovation Corporation  
Case No. D2025-2240

### **1. The Parties**

The Complainants are Molson Canada 2005, Canada, Coors Brewing Company, United States of America ("United States"), and Molson Coors Beverage Company, United States, represented by Lipkus Law LLP, Canada.

The Respondent is Edward Cullen, Crescite Innovation Corporation, United States.

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

The disputed domain name <molsoncoorstoken.com> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 9, 2025. On June 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 10, 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 the Complainant on June 12, 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 June 13, 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 June 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 15, 2025.

The Center appointed Adam Taylor as the sole panelist in this matter on July 18, 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.

The Respondent sent an email to the Center on July 18, 2025.

#### **4. Factual Background**

The Complainants are part of an international group of companies that has supplied beverages under the MOLSON COORS mark since 2005.

The Complainants are collectively referred to below as “the Complainant”, unless it is necessary to refer to them separately.

The Complainant owns the following registered trade marks amongst others:

- United States trade mark No. 0672613 for MOLSON, registered on January 13, 1959, in class 32; and
- United States trade mark No. 1071095 for COORS, registered on August 9, 1977, in class 32.

The Complainant operates a website at “www.molsoncoors.com”.

The disputed domain name was registered on May 14, 2025.

As of May 30, 2025, the disputed domain name resolved to a Registrar parking page with pay-per-click (“PPC”) links relating to “Canadian Stock Market”, “Stock Marketing” and “Stock Market Analysis”.

As of May 30, 2025, Mail Exchange (“MX”) records had been configured enabling use of the disputed domain name for email.

#### **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.

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

The Respondent did not reply formally to the Complainant’s contentions. However, the Respondent emailed the Center on July 18, 2025, stating that:

- the Respondent had no desire to work on the alcohol space;
- the Respondent operated the “Catholic token” at “www.catholictoken.com”, which had been a “monster success”;
- the Respondent would protect its intellectual property if any Web3 intellectual property from the Respondent’s tokens were ever used by the Complainant; and
- the Respondent had checked with legal counsel and reserved its rights in the event of “capture” of its intellectual property rights.

## 6. Discussion and Findings

### 6.1 Preliminary Issue

#### **Consolidation: Multiple Complainants**

The Panel is satisfied that (a) the Complainants, which are part of a group of companies, have a specific common grievance against the Respondent and the Respondent has engaged in common conduct that has affected the Complainants in similar fashion and (b) it would be equitable and procedurally efficient to allow this proceeding to be filed by both Complainants. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.11.

### 6.2 Substantive Issues

#### **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 trade mark and the disputed domain name. WIPO Overview, section 1.7.

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

The entirety of each of the Complainant’s COORS and MOLSON marks is reproduced 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, “token”) 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 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 recognised 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.

As to paragraph 4(c)(i) of the Policy, the disputed domain name has been used for a parking page with PPC links to that bear no obvious descriptive relationship to the disputed domain name. In the Panel's view such use of the disputed domain name could not of itself confer rights or legitimate interests.

While the Respondent's July 18, 2025, email disclaims any desire to operate in "the alcohol space" and hints that the Respondent intends to put the disputed domain name to bona fide use akin to its operation of a "Catholic token" at "www.catholictoken.com", the Respondent has not explained its exact proposed use of the disputed domain name, if any, let alone provided evidence of such use. If the Respondent wished to rely on future plans, it ought to have filed a Response with clear contemporaneous evidence of bona fide pre-complaint preparations predating the respondent's notice of the dispute that went beyond a mere statement of a claimed intention. [WIPO Overview 3.0](#), section 2.2.

Nor is there any evidence that paragraphs 4(c)(ii) or (iii) of the Policy are relevant in the circumstances of this case.

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 Panel's view, by using the disputed domain name that includes the Complainant's distinctive trade mark, in connection with a parking page with PPC links, the Respondent has intentionally created a likelihood of confusion with the Complainant's trade mark in accordance with paragraph 4(b)(iv) of the Policy.

The likelihood of confusion is not diminished by the likelihood that users arriving at the Respondent's site will realise that the site is not connected with the Complainant because the PPC links do not relate directly to the Complainant's industry. Paragraph 4(b)(iv) of the Policy is concerned with the intentional attracting of Internet users. Here, the disputed domain name creates a risk of implied affiliation with the Complainant, and the Respondent profits from at least some of the traffic intended for the Complainant.

Neither the fact that such links are generated by a third party such as a registrar or auction platform (or their affiliate), nor the fact that the respondent itself may not have directly profited, would by itself prevent a finding of bad faith. [WIPO Overview 3.0](#), section 3.5.

Furthermore, 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

In this regard, the Panel notes the following:

First, the Complainant's mark is distinctive and well-known.

Second, as mentioned under the second element above, the Respondent has not explained, let alone supplied any evidence confirming, any intended use of the disputed domain name.

Third, not only does the Respondent's July 18, 2025, email not deny the Respondent's awareness of the Complainant, but it puts forward no explanation for its selection of the words "molson coors" in the disputed domain name. The email simply makes the vague claim that the Respondent would protect its intellectual property if any Web3 intellectual property from the Respondent's tokens were ever used by the Complainant.

Fouth, the Respondent has engaged in a pattern of bad faith conduct, having been subject to an adverse finding by this Panel in another UDRP case involving a domain name comprising a well-known trade mark plus the word “token”. See *AXA SA v. Edward Cullen, Crescite Innovation Corporation*, WIPO Case No. [D2025-2329](#) regarding <axatoken.com>.

Finally, as regards the Respondent’s objection to the potential “capture” of its intellectual property rights, the Panel would observe that this proceeding does not involve any transfer of any intellectual property rights to the Complainant. Rather, the case simply relates to the Respondent’s registration and use of the disputed domain name, and to the Respondent’s entitlement or otherwise to retain that disputed domain name in circumstances where the Complainant has (justifiably) alleged that the Respondent registered and used it to illicitly target the Complainant’s mark.

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 <molsoncoorstown.com> be transferred to the Complainants.

/Adam Taylor/

**Adam Taylor**

Sole Panelist

Date: July 30, 2025