

ADMINISTRATIVE PANEL DECISION

Ray Mears v. Bruce M Bowman

Case No. D2025-2649

1. The Parties

The Complainant is Ray Mears, United Kingdom, represented internally.

The Respondent is Bruce M Bowman, United States of America.

2. The Domain Name and Registrar

The disputed domain name <raymearsshop.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 July 7, 2025. On July 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 9, 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 (Unknown owner of raymearsshop.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 15, 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 July 15, 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 July 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 11, 2025.

The Center appointed Alistair Payne as the sole panelist in this matter on August 22, 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 known in the United Kingdom as a television personality who has appeared since 1994 in his own outdoor life/survival television series on the BBC and ITV channels. He is also an author having published several books and has sold a range of clothing, equipment and courses through his website at <raymears.com> under the brand name “Ray Mears Bushcraft”. He owns United Kingdom trade mark registration UK00002318861 for RAY MEARS which was registered on August 22, 2003.

The disputed domain name was registered on November 30, 2024, and resolves to a website which is also branded as “Ray Mears Bushcraft” and which uses the same logo as is featured on the Complainant’s website. The website at the disputed domain name appears at first glance to be very similar to the Complainant’s website and advertises for sale a range of very similar products including sleepings bags, hunting knives and backpacks under the Complainant’s sub-brand names but at heavily discounted prices.

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 says that he owns registered trade mark rights for the RAY MEARS trade mark as set out above. He submits that the disputed domain name wholly incorporates his mark and is confusingly similar to his mark. He notes that the only difference is the addition of the word “shop” which does not reduce the likelihood of confusion.

The Complainant asserts that he has not authorised the Respondent to use the RAY MEARS mark and that the disputed domain name does not correspond to any brand, product or service in which the Respondent has rights. He says that the Respondent is not making a bona fide offering of goods or services under the disputed domain name but is rather, without authority advertising products that are exclusively offered by the Complainant and which are made in-house by the Complainant and is using the Complainant’s likeness and product images on its website in order to falsely claim a link to him. He says that as the Respondent has no access to the Complainant’s products, the fulfilment of these orders by the Respondent is therefore impossible.

As far as registration and use in bad faith is concerned, the Complainant submits that the registration of the disputed domain name which is identical or confusingly similar to the Complainant’s trade mark coupled with the lack of legitimate interest, strongly supports the inference that the disputed domain name was registered with intent to exploit the goodwill attaching to the RAY MEARS trade mark. It says that the use of “shop” in the disputed domain name strongly implies that the Respondent is attempting to mislead customers into thinking that the disputed domain name is an official outlet for RAY MEARS branded products.

The Complainant says that the fact that the Respondent has used the disputed domain name to resolve to a website which copies many of the photos and product images from the Complainant’s website is a flagrant attempt in bad faith to mislead customers into thinking that the Respondent’s website is linked to, or authorised by, the Complainant. The Complainant says that this amounts to the Respondent having registered the disputed domain name primarily for the purposes of disrupting the Complainant’s business and that by using the disputed domain name the Respondent has intentionally attempted to attract for commercial gain Internet users to its website by creating a likelihood of confusion with the Complainant’s mark as to the source of products on the Respondent’s website. Accordingly, says the Complainant, it is clear that the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent did not reply to the 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 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 entirety of the mark 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 the term "shop", 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 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.

The Complainant has asserted that he has not authorised the Respondent to use the RAY MEARS mark and that the disputed domain name does not correspond to any brand, product or service in which the Respondent has rights. He has noted that the Respondent is not making a bona fide offering of goods or services under the disputed domain name but is rather, without authority advertising products that are exclusively offered by the Complainant and which are made in-house by the Complainant and is using the Complainant's likeness and product images on its website in order to falsely claim a link to him. The Panel notes that the website at the disputed domain name also features a logo that appears to be identical or extremely similar to the logo on the Complainant's website.

Overall, the Panel finds that the website at the disputed domain name appears to masquerade as if it is the Complainant's website, or is authorised by him, when this is not the case. The Respondent is offering products for sale at its website which appear to be identical or very similar to the products advertised on the Complainant's website, including by using the same sub-brand names, but at substantially discounted prices. The website, notably, lacks any disclaimer as to its lack of relationship with the Complainant. the Panel

therefore finds that the Respondent is seeking illegitimately to trade off the goodwill and reputation attaching to the Complainant's name, mark and products which is entirely inconsistent with the Respondent having rights or legitimate interests in the disputed domain name.

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.

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 was registered long after the Complainant registered his RAY MEARS mark in the United Kingdom. The fact that the website at the disputed domain name features the RAY MEARS mark and also the Complainant's logo as found on his website and appears to offer for sale the same or similar products as the Complainant does on his website, indicates that it is more than likely that the Respondent was very well aware of the Complainant's business and mark at the time of registration of the disputed domain name.

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.

Under paragraph 4(b)(iv) of the Policy there is evidence of registration and use of the disputed domain name in bad faith where a Respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website.

The Respondent has used the disputed domain name containing the Complainant's distinctive and reputed name and mark together with the common English word "shop" to intentionally attract Internet users to its website by confusing them into assuming that they would be diverted to the Complainant's website, or at least to a website authorised to offer and sell the Complainant's products. As noted above, the Respondent's website features the RAY MEARS mark and offers for sale what appear to be very similar products under the same or very similar sub-brand names at greatly discounted prices without any disclaimer as to its lack of relationship with the Complainant. The Respondent's website at the disputed domain name is clearly calculated to confuse Internet users into thinking that it is the official RAY MEARS website or has somehow been authorised by the Complainant, when this is not the case. This appears to the Panel to be a classic case of Internet user "bait and switch" for the Respondent's commercial gain and is precisely the sort of conduct that satisfies the requirements of paragraph 4(b)(iv) of the Policy and amounts to evidence of registration and use in 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 name <raymearsshop.com> be transferred to the Complainant.

/Alistair Payne/

Alistair Payne

Sole Panelist

Date: September 2, 2025