

ADMINISTRATIVE PANEL DECISION

Boot Barn, Inc. v. Joginder Rana
Case No. D2025-2749

1. The Parties

The Complainant is Boot Barn, Inc., United States of America ("US"), represented by Sisun Law, US.

The Respondent is Joginder Rana, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <bootbarn-western.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 11, 2025. On July 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 15, 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 (Registration Private, Domains By Proxy, LLC) 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 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 6, 2025.

The Center appointed Catherine Slater as the sole panelist in this matter on August 11, 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 corporation. Since 1978, it has carried on business as a retailer of Western-style clothing, footwear and home furnishings.

The Complainant is the owner of the domain name <bootbarn.com>, registered on March 13, 1996.

The Complainant is the proprietor of US Trade Mark Registration 2,307,397 for BOOT BARN (plain word mark) in respect of “retail store services featuring Western wear”; registered on January 11, 2000.

Since at least 1996, the Complainant has provided its retail services under the BOOT BARN trade mark through both physical stores and its website at “www.bootbarn.com”. It is now one of the largest retailer of Western-style clothing and workwear in the US with hundreds of stores throughout the country. Between May 2024 and March 2025, the Complainant’s website received an average of 3 million views per month. During March 2025, it received 150,000 or more visitors every day.

The Respondent registered the disputed domain name on May 13, 2025. At the date of filing the Complaint, the disputed domain name resolved to a website offering Western-style clothing and accessories for sale. At the date of this Decision, the disputed domain name still resolved to that website albeit that in order to reach it, a webpage containing a warning that the website has been reported as dangerous had first to be seen and disregarded.

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 trade mark since it reproduces identically that distinctive trade mark with the addition of the merely descriptive term “western”.

The Complainant denies that the Respondent has any rights or legitimate interests in the disputed domain name. The Complainant submits that none of the circumstances in paragraph 4(c) of the Policy applies to the Respondent. The Complainant further submits that the use made of the disputed domain name does not satisfy any of the requirements of paragraph 4(c) since its purpose is to reap the benefit of confusion amongst consumers by diverting traffic from the Complainant’s website.

The Complainant contends that the registration of the disputed domain name, when the Respondent had constructive notice (at least) of the Complainant’s trade mark registration, is in itself an act of bad faith. The Complainant further contends that the Respondent has used the disputed domain name, which is highly similar to the Complainant’s trade mark, to profit from diversionary tactics such that the Respondent can be assumed to have registered and to use the disputed domain name 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 trade mark 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 trade mark 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, "western", 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.

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.

For completeness, the Panel is satisfied that use made of the disputed domain name seeks to take unfair advantage of the Complainant's trade mark (as discussed in more detail below) and cannot therefore give rise to rights or legitimate interests. Furthermore, the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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.

The Panel finds the Complainant's trade mark to be distinctive and, through significant and long-standing use, to have become well-known in relation to the sale of Western-style goods. The Respondent has provided no explanation for its registration and use of the disputed domain name. The Panel infers in the circumstances that the Respondent registered the disputed domain name with the Complainant's trade mark in mind and with the intention of diverting Internet users looking for the Complainant's services to its own competing website.

The Panel therefore finds 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 trade mark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

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 <bootbarn-western.com> be transferred to the Complainant.

/Catherine Slater/

Catherine Slater

Sole Panelist

Date: August 20, 2025