

## **ADMINISTRATIVE PANEL DECISION**

M.S.E.O. Holdings LLC v. Tim Larson

Case No. D2025-3286

### **1. The Parties**

The Complainant is M.S.E.O. Holdings LLC, United States of America (“United States”), represented by Wood, Herron & Evans, LLP, United States.

The Respondent is Tim Larson, United States.

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

The disputed domain name <rarebreedfrt.com> is registered with Name.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 15, 2025. On August 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 18, 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, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 19, 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 amended Complaints on August 19 and 20, 2025.

The Center verified that the Complaint together with the amended Complaints 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 August 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 11, 2025.

The Center appointed Gary Saposnik as the sole panelist in this matter on September 16, 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 limited liability company organized under the laws of Wyoming, United States. The Complainant conducts its business through two exclusive licensees: Rare Breed Triggers, Inc., and Rare Breed Firearms, LLC, based in Texas, United States. These entities market and sell firearms and related technology, including a forced reset trigger (a device that mechanically resets the trigger's position after each shot), under the Complainant's registered trademark RARE BREED FIREARMS and its unregistered mark RARE BREED TRIGGERS. The Complainant has used the trademark RARE BREED FIREARMS since 2018.

The Complainant owns United States Registration No. 5,656,596 for the RARE BREED FIREARMS trademark, registered on January 15, 2019, in classes 13, 14, 25, and 26.

Currently pending before the United States Patent and Trademark Office (the "USPTO") is the Complainant's application for registration of the "RARE BREED TRIGGERS" trademark, Serial Number 99210030, filed May 30, 2025. The application asserts a first use date of December 31, 2020.

The Complainant owns the domain names <rarebreedtriggers.com> and <rarebreedfirearms.com> and the associated websites.

The disputed domain name was registered on January 21, 2025, and resolves to a website prominently displaying a "RARE BREED TRIGGERS" logo which is similar to the Complainant's, and purportedly offering for sale triggers for firearms, along with an "About Us" page claiming to be the company "Rare Breed FRT" that produces Rare Breed products and that is focused on creating the relevant innovating technology.

#### **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 in addition to its registered rights in the RARE BREED FIREARMS trademark, the Complainant asserts unregistered trademark rights in the trademarks "RARE BREED TRIGGERS" and "FRT". The Complainant uses these trademarks in connection with firearms and forced reset trigger devices for firearms. The Complainant further asserts that the disputed domain name is confusingly similar to the RARE BREED FIREARMS, "RARE BREED TRIGGERS" and "FRT" trademarks because the dominant portion of the RARE BREED FIREARMS and "RARE BREED TRIGGERS" marks, "rare breed," is recognizable within the disputed domain name, as well as the "FRT" trademark is wholly incorporated into the disputed domain name.

The Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name, as the Respondent has no association with the Complainant, has not been licensed or authorized to use the Complainant's trademarks, or any substantially identical or deceptively similar trademarks. The Respondent is not using or making demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. Additionally, the Respondent has not been commonly known by the disputed domain name.

Lastly, the Complainant avers that the disputed domain name has been registered and is being used in bad faith. Although the disputed domain name does not itself include the generic term “triggers,” it resolves to a website that uses the entire mark “RARE BREED TRIGGERS”. The resolving website also incorporates the distinctive stylization of the Complainant’s “RARE BREED TRIGGERS” trademark. The Respondent is using the disputed domain name to lure customers to its site, whereby customers are met with a home page that uses the copycat stylized mark, and an “About Us” page that falsely claims to be the company that produces Rare Breed products and that invented the relevant technology. The Respondent’s impersonation of the Complainant is an attempt to attract users to its site for commercial gain at the Complainant’s expense.

After receipt of the Respondent’s identity information provided to the Complainant in the course of these proceedings, the email address used by the Respondent is the same email address used in registration details for another domain name, which is the subject of a separate pending UDRP proceeding. Panels have found that registration of as few as two or three infringing domain names can constitute a pattern of bad faith conduct. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 3.1.2.

The Respondent also purports to sell complete firearms (i.e. not merely triggers for firearms), while purporting to be “Rare Breed Trigger” or “Rare Breed FRT.” Because the Respondent does not appear to be a licensed firearms dealer, such sales violate federal law.

## **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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the RARE BREED FIREARMS trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. The dominant feature of the mark, namely “rare breed”, is incorporated in the disputed domain name, followed by the term “frt”. 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 the term “frt” 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 notes the Complainant’s assertion of unregistered trademark rights in “RARE BREED TRIGGERS.” However, in light of the above findings, the Panel considers it unnecessary to determine whether the Complainant has established such rights.

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.

The Complainant has provided evidence that the Respondent directed the disputed domain name to a website prominently displaying a “RARE BREED TRIGGERS” logo which is similar to the Complainant’s stylized logo, and the Respondent offered for sale goods identified with the Complainant’s trademarks. The Complainant has not licensed or authorized the Respondent to use the Complainant’s marks. Additionally, the “About Us” page claims to be the company “Rare Breed FRT” that produces Rare Breed products and that is focused on creating the relevant innovating technology. However, there is no evidence on record that the Respondent is actually commonly known by “Rare Breed FRT”. Rather, it appears most likely that such details were specifically chosen to attempt to impersonate the Complainant.

Panels have held that the use of a domain name for illegal activity here, claimed as applicable to this case: impersonation/passing off, 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 notes that the Respondent has registered a confusingly similar domain name to the Complainant’s mark after the Complainant attained trademark rights in the RARE BREED FIREARMS mark. The Respondent’s use of the stylized “RARE BREED TRIGGERS” logo mimics the Complainant’s use of its claimed unregistered mark. The Respondent’s commercial site selling forced reset triggers, also includes an “About Us” page that claims to be the company “Rare Breed FRT” that produces Rare Breed products and that is focused on creating the relevant innovating technology. The Panel finds that the Respondent’s impersonation of the Complainant is a deliberate attempt to attract users to its site for commercial gain.

Panels have held that the use of a domain name for illegal activity, here, claimed as impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. See also, *M.S.E.O. Holdings LLC v. david joe*, WIPO Case No. [D2025-3042](#); and *M.S.E.O. Holdings LLC v. NameSilo, LLC, Domain Administrator*, WIPO Case No. [D2025-2865](#).

The Panel notes the Complainant's allegation of the Respondent having registered another domain name containing "rarebreedtriggers". A separate UDRP complaint was filed by the Complainant regarding that domain name, and is currently pending. Based on the other evidence presented above, it is unnecessary to make a determination regarding a pattern of abusive conduct by the Respondent.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <rarebreedfrt.com> be transferred to the Complainant.

*/Gary Saposnik/*

**Gary Saposnik**

Sole Panelist

Date: September 30, 2025