

ADMINISTRATIVE PANEL DECISION

Compass Health Brands Corp. v. Jenny White
Case No. D2025-3376

1. The Parties

The Complainant is Compass Health Brands Corp., United States of America (“United States”), represented by Koley Jessen P.C., L.L.O., United States.

The Respondent is Jenny White, United States.

2. The Domain Name and Registrar

The disputed domain name <roscoemedical.net> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 22, 2025. On August 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 25, 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 (JOHN AND JANE DOES) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 27, 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 August 27, 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 September 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 26, 2025.

The Center appointed Gregory N. Albright as the sole panelist in this matter on October 6, 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 the owner of two trademark registrations issued by the United States Patent and Trademark Office (collectively, the “Marks”), specifically:

Reg. No. 5,391,999 for the ROSCOE MEDICAL word mark, in International Classes 10 and 12, issued January 30, 2018 (the “Word Mark”); and

Reg. No. 4,493,248 for the ROSCOE MEDICAL design mark, in International Classes 10 and 12, issued March 11, 2014 (the “Design Mark”).

The Complainant uses the Marks in connection with the sale of medical devices and apparatus, beds specially made for medical purposes, and many other medical products.

The Complainant also owns the domain name <roscoemedical.com>, which redirects users to the Complainant’s website at <compasshealthbrands.com>. The headings on the landing page of that website include “Pain Management, Respiratory, CPAP Therapy, Home Medical Equipment, Bath Safety, Mobility, and TENS.” If one types “Roscoe Medical” in the search box on the <compasshealthbrands.com> website, the top three result include a fingertip pulse oximeter, a lightweight wheelchair, and a knee rollator.

The disputed domain name was registered June 27, 2025. The disputed domain name resolves to a website that offers similar or identical medical devices and products for sale and displays a logo that is identical to the Complainant’s Design Mark.

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.

First, the Complainant asserts that the disputed domain name is identical to the Marks, in which the Complainant has rights. The disputed domain name is identical to the Complainant’s Word Mark, incorporating it entirely. The website to which the disputed domain name resolves also contains a logo that is identical to the Complainant’s Design Mark.

Second, the Complainant contends the Respondent has no rights or legitimate interests in respect of the disputed domain name. Notably, the Complainant states that the Respondent is not associated with the Complainant in any way. In addition, according to the Complainant, there is no evidence of the Respondent’s use of or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods and services. The Respondent instead has attempted to mimic the goods and services offered by the Complainant in order to confuse consumers and trick them into purchasing goods from the Respondent. There also is no evidence that the Respondent was commonly known by the disputed domain name, when its use began in June 2025, years after the Complainant obtained registration of its Marks. Nor is there any evidence that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name. Instead, Respondent is trying to capitalize on the Complainant’s goodwill and divert consumers who intend to do business with the Complainant.

Finally, the Complainant claims that the Respondent registered and is using the disputed domain name in bad faith. The headings on the website to which the disputed domain name resolves are very similar to the headings on the Complainant’s own website, described in Section 4 above, specifically “Pain Relief, Knee Scooters, Rollators, Wheelchairs, CPAP Supplies, and Kenesiology Tape.” The Respondent’s website at the disputed domain name also includes a logo that is identical to the Complainant’s Design Mark, for which there is no good faith purpose since the Respondent is not associated with the Complainant in any way. In addition, under the heading “Our latest items,” the first three are the same finger pulse oximeter, wheelchair,

and knee rollator that appear on the Complainant's website. Bad faith is apparent in that the Respondent is using the disputed domain name intentionally to attract Internet users to the Respondent's website for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent or products offered for sale on the Respondent's website. The link to "terms and conditions" on the Respondent's website is further evidence of bad faith, the Complainant argues, because they falsely identify the "Company" associated with the disputed domain name and related website as "Roscoe Medical."

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 its Marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the Complainant's Word Mark is reproduced within the disputed domain name. The applicable Top-Level Domain in a domain name (e.g., ".com" and ".net") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. WIPO Overview, section 1.11.1.

Accordingly, the disputed domain name is identical to the Complainant's Word 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.

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 registered the disputed domain name in June 2025 – many years after the Complainant obtained registration of the Word Mark and the Design Mark in the United States, where the Respondent is located. Since the disputed domain name is identical to the Complainant's Word Mark, and since the Respondent's website displays a logo that is identical the Complainant's Design Mark, it is apparent that the Respondent registered the disputed domain name in bad faith with knowledge of the Complainant and its Marks, for the purpose of creating consumer confusion and capitalizing on the goodwill associated with the Complainant's Marks.

Bad faith use of the disputed domain name is also shown because the Respondent is using the website to which the disputed domain name resolves to create consumer confusion by falsely suggesting an association with the Complainant (who asserts that the Respondent is not associated with the Complainant in any way), and attempting to divert Internet customers away from the Complainant for commercial gain.

The Panel also notes that this appears to be a case in which the Respondent may have used artificial intelligence tools to create with related ease a website, which at first blush may easily be perceived by Internet users as the Complainant's own website. While the Respondent's website is quite robust, with a number of links to different pages and photographs of products ostensibly available for sale, there are indicia that the website is not legitimate. Some significant links (to "My Account" and "Checkout," for example) are inoperable. When a "Check Price" link is clicked for specific products, the visitor to the Respondent's website is forwarded to the website at "www.amazon.com," where the product is offered for sale. And, as the Complainant has asserted, the "Terms and Conditions" on the Respondent's website falsely identifies the "Company" operating the website as "Roscoe Medical."

In addition, under "About" on the landing page, the Respondent's website states: "As an Amazon Associate, we earn from qualifying purchases. This means that when you click on a link and make a purchase on Amazon, we may receive a small commission at no extra cost to you." It therefore appears that the Respondent is attempting to profit from use of the disputed domain name, by creating the false impression that its website is associated with or endorsed by the Complainant and its Marks in order to drive Internet activity seeking the Complainant to the Respondent's affiliate links.

The Panel finds 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 <roscoemedical.net> be transferred to the Complainant.

/Gregory N. Albright/

Gregory N. Albright

Sole Panelist

Date: October 27, 2025