

ADMINISTRATIVE PANEL DECISION

Tea Forté Inc. dba Jacobs Douwe Egberts USA v. John Jay
Case No. D2025-3450

1. The Parties

The Complainant is Tea Forté Inc. dba Jacobs Douwe Egberts USA, United States of America (“U.S.”), represented by Ploum, Netherlands (Kingdom of the).

The Respondent is John Jay, U.S.

2. The Domain Name and Registrar

The disputed domain name <teafortetea.com> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 28, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on August 28, 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 August 29, 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 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 29, 2025.

The Center appointed Dennis A. Foster as the sole panelist in this matter on October 7, 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 was founded in the U.S. in 2003, and produces and sells tea and related products inspired by Japanese tea ceremony. Now part of the Dutch company Jacobs Douwe Egberts, the Complainant sells its tea products in some 100 countries.

The Complainant's business website is at "www.teaforte.com".

The Complainant owns a number of registered trademarks for its TEA FORTÉ trademark, among which U.S. trademark registration no. 3596578, registration date March 24, 2009, international class 21 for tea infusers. Also, International trademark no. 950871, designated countries include Norway, Japan, and the Russian Federation, registration date September 18, 2007, international classes 30 for tea, and 32 for herbal food beverages. The Complainant has also registered its trademark in many other countries such as the United Kingdom, Mexico, and Australia.

The Respondent is an individual located in the U.S. who registered the disputed domain name on May 26, 2025. The website at the disputed domain name uses the Complainant's trademark and logo, and purports to sell the Complainant's tea and related products.

5. Parties' Contentions

A. Complainant

- The disputed domain name is confusingly similar to the Complainant's TEA FORTÉ trademark. The Respondent has merely added the term "tea", which is the goods the Complainant sells under its trademark.
- The Respondent has no rights or legitimate interests in the disputed domain name.
- The Respondent is not affiliated with the Complainant in any way.
- The Respondent is not licensed to use the Complainant's trademark or to sell the Complainant's TEA FORTÉ products.
- The Respondent has copied the Complainant's website using the Complainant's trademark and logo, and purports to sell the same products.
- The Respondent's registration of the disputed domain name was not coincidental but deliberate.
- The disputed domain name has been registered and is being used in bad faith.
- The Respondent's use of a privacy service to mask its identity is an additional indication of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Pursuant to Policy paragraphs 4(a)(i) - (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain name, if the Complainant establishes that:

- The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- The disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The first burden of proof for the Complainant is to show that it owns a trademark. In this regard, the Complainant has shown that it owns a number of TEA FORTÉ U.S. and International trademarks valid in many countries worldwide and thus this requirement is satisfied. WIPO Overview of Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.2.1.

Next, the Complainant must show that the disputed domain name is identical or confusingly similar to the Complainant's trademark. In this case, the Respondent has added the word "tea" to the Complainant's trademark TEA FORTÉ, but the Panel finds the Complainant's trademark is readily recognizable and thus the disputed domain name is confusingly similar to the Complainant's trademark. [WIPO Overview 3.0](#), section 1.7. The Top-Level Domain ("TLD") is not relevant for the identity or confusingly similar test. [WIPO Overview 3.0](#), section 1.11.

The Panel thus finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

In order to dispatch its burden of proof under Policy paragraph 4(a)(ii), the Complainant must show that the Respondent does not have rights or legitimate interests in the disputed domain name. As the Policy consensus is that proving this negative proposition is potentially onerous for the Complainant, the Policy consensus further provides that it is sufficient for the Complainant to put forth a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name, and then the burden of evidence production shifts to the Respondent to come forward with evidence showing the Respondent does have rights or legitimate interests in the disputed domain name (although the burden of proof always remains on the complainant) as allowed under Policy paragraphs 4(c)(i), (ii) and (iii). [WIPO Overview 3.0](#), section 2.1.

The Complainant contends that the Respondent is not authorized to use the Complainant's trademark in any way, is not related to the Complainant in any way, and indeed was hitherto unknown to the Complainant. The Panel finds this is a prima facie case under the Policy. [WIPO Overview 3.0](#), section 2.1.

The Respondent is in default in this proceeding and thus has not come forward with evidence to rebut the Complainant's contentions. The Panel will nonetheless examine the record with a view to determining whether the Respondent might have rights or legitimate interests in the disputed domain name as allowed under Policy paragraphs 4(c)(i), (ii), and (iii).

Policy paragraph 4(c)(i) would allow the Respondent to claim rights or legitimate interests in the disputed domain name if the Respondent could show that, before being notified of these proceedings, the Respondent was using the disputed domain name to make a bona fide offering of goods or services. However, in the relevant time frame, the Respondent was using the disputed domain name to copy the Complainant's website and to purport to offer the same tea and related products for sale that the Complainant offers. The Panel finds that this is not a bona fide, but is instead a mala fide or bad faith, offering of goods and services

using the disputed domain name. To put it bluntly, the Respondent is passing himself off as the Complainant. [WIPO Overview 3.0](#), section 2.13.1. And see *Groupe Canal + v. johon, Host Master, Njalla Okta LLC, and WALID MSR*, WIPO Case No. [D2025-1465](#), regarding copycat websites being a bad faith use of the disputed domain name.

As the record shows, the Respondent also has not been commonly known by the disputed domain name per Policy paragraph 4(c)(ii), and also has not been using the disputed domain name for noncommercial or fair use purposes.

The Panel therefore finds that the Complainant has proved that the Respondent does not have rights or legitimate interests in the disputed domain name per Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

The Policy at paragraph 4(b) provides four non-exhaustive circumstances under which a respondent may be found to have registered and to be using a disputed domain name in bad faith. In the present case, the Respondent's conduct falls under 4(b)(iv) because he has registered the disputed domain name containing the Complainant's trademark in order to confuse the public about the origin of the goods he purports to sell for financial gain. When a respondent copies a complainant's website, it often is because the respondent is targeting that complainant in bad faith. [WIPO Overview 3.0](#), section 3.4.

Nor is this all. Here the Respondent, in copying the Complainant's website, purports to sell the same goods as the Complainant, but at steeply discounted prices. The Respondent is passing himself off as the Complainant, but the Complainant disbelieves the Respondent could actually have the Complainant's tea and related goods for sale. Rather, it looks as though the Respondent wants to gather as many customer orders and payments as possible, as quickly as possible, before the public becomes aware that the Respondent is running a scam. Although this is not exactly one of the Policy 4(b) enumerated circumstances for bad faith, the Panel finds this still is a discrete circumstance for finding the Respondent has registered and is using the disputed domain name in bad faith. [WIPO Overview 3.0](#), section 3.4. And see *Delticom AG v. Marlia Andrea, Check Mate On Line S.L.U.*, WIPO Case No. [D2022-1311](#), regarding impersonation/passing off as grounds for bad faith.

The Panel then finds the Complainant has carried its burden of proof to show that the Respondent has registered and is using the disputed domain name in bad faith per Policy paragraph 4(a)(iii).

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 <teafortetea.com> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: October 20, 2025