

ADMINISTRATIVE PANEL DECISION

Buck Mason, Inc. v. no, lar frank
Case No. D2025-3635

1. The Parties

The Complainant is Buck Mason, Inc., United States of America ("United States"), represented by Hand Baldachin & Associates LLP, United States.

The Respondent is no, lar frank, Philippines.

2. The Domain Names and Registrar[s]

The disputed domain names <buckmasoac.com>, and <buckmasons.com> (collectively, the "Disputed Domain Names") are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 8, 2025. On September 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Names. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Names which differed from the named Respondents (Privacy User #0afb88e8 and Privacy User #9e2a1f9b) contact information in the Complaint. The Center sent an email communication to the Complainant on September 12, 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 September 12, 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 13, 2025.

The Center appointed Nicholas Weston as the sole panelist in this matter on October 17, 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 operates an online retail store featuring clothing. It holds two registrations for its trademark in the United States: United States Registration No. 4,544,748 for the mark BUCK MASON, registered on June 3, 2014 in class 35, and United States Registration No. 5,584,879 for the mark BUCK MASON, registered on October 16, 2018 in class 25.

The Complainant owns the domain name <buckmason.com>, the Internet address of its online store.

The Disputed Domain Name <buckmasons.com> was registered on July 29, 2025, and the Disputed Domain Name <buckmasoac.com> was registered on August 25, 2025.

The Disputed Domain Names resolved to an almost identical copy of the Complainant's webstore, in each case. The Disputed Domain Names do not currently resolve to active websites.

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 Names.

Notably, the Complainant cites its trademark registrations for the mark BUCK MASON and variations of it, in the United States, as prima facie evidence of ownership.

The Complainant contends that its rights in that the mark BUCK MASON mark predate the Respondent's registration of the Disputed Domain Names. It submits that the Disputed Domain Names are confusingly similar to its trademark, because each of the Disputed Domain Names, it submits: "is a complete and exact reproduction of Complainant's BUCK MASON mark with the only change being the addition of the letter 's' and the buckmasoac.com domain name is nearly identical to that trademark with the only change being the substitution of the last letter with the letters 'a' and 'c.'", and that these variables are not sufficient to avoid the confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names because it "Respondents are not licensees of Complainant nor are Respondents otherwise authorized to use Complainant's BUCK MASON mark for any purpose" and that none of the circumstances set out in paragraph 4(c) of the Policy apply.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Names were, and currently are, in bad faith, contrary to the Policy and the Rules having regard to the prior use and distinctive nature of the Complainant's trademark. On the issue of registration, the Complainant states that "the designation BUCK MASON is unique and arbitrary such that it is unlikely that the Respondents devised the terms buckmasons.com or buckmasoac.com on their own". On the issue of use, the Complainant contends that the Respondent is using "Complainant's BUCK MASON mark to redirect internet users to their copycat websites" and that this amounts to use in bad faith.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

- (i) that the Disputed Domain Names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names; and
- (iii) that the Disputed Domain Names have been registered and are being used in bad faith.

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 Names. 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. The requirements of the first element for purposes of the Policy may be satisfied by a trademark registered in any country. [WIPO Overview 3.0](#), section 1.2.1. The Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark BUCK MASON.

Turning to whether the Disputed Domain Names are identical or confusingly similar to the BUCK MASON trademark, the Panel observes that:

— the Disputed Domain Name <buckmasons.com> is comprised of: (a) the Complainant's trademark; (b) followed by the letter "s"; (c) followed by the generic Top-Level Domain ("gTLD") ".com";

— the Disputed Domain Name <buckmasoac.com> is comprised of: (a) the Complainant's trademark; (b) with the letter "n" deleted and replaced with the letters "a" and "c"; (c) followed by the gTLD ".com".

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11. The relevant comparison to be made is with the second-level portion of each of the two Disputed Domain Names, specifically: "buckmasons" and "buckmasoac", respectively.

The Panel finds the mark is recognizable within the Disputed Domain Names. A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Accordingly, the Disputed Domain Names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

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 Disputed Domain Names (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 Panel finds that there is no indication that the Respondent was commonly known by the terms “buckmasons” or “buckmasoac” prior to registration of the Disputed Domain Names. The Complainant has not licensed, permitted, or authorized the Respondent to use the trademark BUCK MASON. The Panel also notes that the composition of the Disputed Domain Names appears intended to, and does, play off the Complainant’s trademark BUCK MASON.

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 Names. 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 Names such as those enumerated in the Policy or otherwise.

The Panel notes the evidence that each of the Disputed Domain Names resolve to an inactive webpage, which supports the Complainant’s evidence, and finds neither this nor the previous trading on the goodwill of the Complainant’s trademarks, do not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant’s mark or capacity to otherwise mislead Internet users.

The Panel finds the second element of the Policy has been established for the Disputed Domain Names.

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.

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.

In the present case, the Panel finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Names in bad faith.

On the issue of registration, taking into account the composition of the Disputed Domain Names and the distinctive nature of the Complainant’s trademark, the Panel is satisfied that the Respondent knew of and targeted the Complainant’s trademark BUCK MASON when it registered the Disputed Domain Names.

This Panel finds that there is no reason for the Respondent to have registered the Disputed Domain Names other than to trade off the reputation and goodwill of the Complainant's distinctive trademark.

[WIPO Overview 3.0](#), section 3.1.4.

Further, a gap of several years between registration of a complainant's trademark and respondent's registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name 11 years after the Complainant established registered trademark rights in the BUCK MASON mark. The Respondent has not come forward to rebut the Complainant's allegations or offer any alternative explanation.

On the issue of use, the Disputed Domain Names do not currently resolve to active websites.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the Complainant's well-known BUCK MASON trademark, the composition of the Disputed Domain Names, and the Respondent's failure to provide any evidence of actual or contemplated good-faith use and finds that in the circumstances of this case the passive holding of the Disputed Domain Names does not prevent a finding of bad faith under the Policy.

The Complainant's evidence is also that the Disputed Domain Names all "resolve[d] to [web]page[s] that are nearly exact copies of Complainant's website. Respondents have copied the design, the images, and the totality of Complainant's website". Targeting of this nature is a common example of bad faith as referred to in paragraph 4(b)(iv) of the Policy and identified in many previous UDRP decisions. [WIPO Overview 3.0](#), sections 3.1.4 and 3.2.1.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

There is also evidence that the Respondent provided false contact details to shield its identity when registering the Disputed Domain Name. Previous Administrative Panel decisions have found that providing false information for the Whois database to shield a registrant's identity (which is also in breach of the registration agreement) is clear evidence of the Respondent's knowledge of the Complainant's rights at the time of registration and can support an inference of bad faith. [WIPO Overview 3.0](#), section 3.2.1. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Names constitutes bad faith under the Policy.

The Panel also observes that the Respondent appears to have been the unsuccessful respondent in several other UDRP proceedings. See, e.g., *L'Oréal v. no, lar frank*, WIPO Case No. [D2025-0476](#); *IMC B.V. v. lar frank, no*, WIPO Case No. [D2024-2979](#); *Euronext N.V. v. no, lar frank*, WIPO Case No. [D2023-2664](#). The Panel therefore finds that the Respondent is a serial offender who deliberately targeted the Complainant and is engaged in a pattern of bad faith conduct that further supports a finding of bad faith against the Respondent. [WIPO Overview 3.0](#), section 3.1.2.

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 Names <buckmasoac.com> and <buckmasons.com> be transferred to the Complainant.

/Nicholas Weston/

Nicholas Weston

Sole Panelist

Date: October 21, 2025