

ADMINISTRATIVE PANEL DECISION

Build-A-Bear Workshop, Inc. v. li xue

Case No. D2025-3935

1. The Parties

The Complainant is Build-A-Bear Workshop, Inc., United States of America (“United States”), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is li xue, China.

2. The Domain Name and Registrar

The disputed domain name <buildabears.club> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 26, 2025. On September 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 30, 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 (DT), Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same day, 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 October 1, 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 October 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 27, 2025.

The Center appointed Tobias Zuberbühler as the sole panelist in this matter on November 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 in the present proceeding is Build-A-Bear Workshop, Inc., a business founded 1997 in the United States that offers a teddy-bear themed retail-entertainment experience. The Complainant achieved a revenue of USD 486 million in 2023 and, as of February 2024, maintained 359 retail stores throughout the United States, Canada, the United Kingdom and Ireland.

The Complainant owns BUILD-A-BEAR trademark registrations in various jurisdictions, including the European Union trademark No. 004872479 (registered on October 10, 2007) and Chinese trademark No. 18153356 (registered on December 7, 2016).

The disputed domain name was registered on August 15, 2025, and resolved to a website impersonating the Complainant's website and business.

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.

B. Respondent

The Respondent has not submitted any 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

A domain name is "identical or confusingly similar" to a trademark for the purposes of the Policy when the domain name includes the trademark, or a confusingly similar approximation, regardless of other terms in the domain name (*Wal-Mart Stores, Inc. v. Richard MacLeod d/b/a For Sale*, WIPO Case No. [D2000-0662](#)). This includes the omission of both hyphens in the BUILD-A-BEAR trademark and addition of the letter "s" at the end, which is considered as a misspelling of a trademark (i.e., "typosquatting"). [WIPO Overview 3.0](#), section 1.9.

The Panel finds that 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 that 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 evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Panel also notes that the disputed domain name is a misspelling of the Complainant’s BUILD-A-BEAR trademark by omitting the hyphens and adding the letter “s” at the end, and that there is a risk that Internet users will not notice the subtle misspelling. In the present case, the Panel therefore finds that the composition of the disputed domain name creates a risk of user confusion.

The Panel finds that 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 disputed domain name constitutes a misspelling of the Complainant’s prior registered BUILD-A-BEAR trademark by omitting the hyphens and adding the letter “s”. The difference between the two is rather subtle. Therefore, under the circumstances of this case, it is more likely than not that the Respondent was aware of the Complainant’s trademark when registering the disputed domain name and was engaged in an attempt to mislead Internet users into believing that the disputed domain name may be associated with the Complainant.

The disputed domain name resolved since its registration to a website impersonating the Complainant’s website and business. Considering the composition of the disputed domain name and the lack of a response from the Respondent, the Panel finds that the registration and use of the disputed domain name constitutes bad faith registration and use 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 <buildabears.club> be transferred to the Complainant.

*/Tobias Zuberbühler/
Tobias Zuberbühler
Sole Panelist
Date: November 21, 2025*