

ADMINISTRATIVE PANEL DECISION

Shaw Industries Group, Inc., Columbia Insurance Company v.
Christimarie Ferguson
Case No. D2025-4002

1. The Parties

The Complainants are Shaw Industries Group, Inc., United States of America, and Columbia Insurance Company, United States of America, represented by Iverson IP, United States of America.

The Respondent is Christimarie Ferguson, United States of America.

2. The Domain Name and Registrar

The disputed domain name <shawfloors-us.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 30, 2025. On October 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 2, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainants on October 2, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on October 6, 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 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 29, 2025.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on November 10, 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 Columbia Insurance Company is the sole owner of a family of SHAW formative trademarks for use in connection with carpeting, flooring, and related goods and services, including the following representative United States of America registrations:

SHAW, Registration No. 2291182, registered on November 9, 1999.
SHAW (Design), Registration No. 2692764, registered on March 4, 2003.
SHAW CONTRACT, Registration No. 2811298, registered on February 3, 2004.
SHAW CONTRACT GROUP, Registration No. 3191367, registered on January 2, 2007.
SHAW HARDWOODS, Registration No. 2587494, registered on July 2, 2002.
SHAWMARK, Registration No. 1650849, registered on July 16, 1991.
SHAW, Registration No. 2877500, registered on August 24, 2004.
SHAW, Registration No. 3626430, registered on May 26, 2009.
SHAW, Registration No. 3626431, registered on May 26, 2009.
SHAW FLOORS, Registration No. 6295349, registered March 16, 2021.
(collectively, the "SHAW Marks")

The Complainants also own numerous domain names incorporating the SHAW and SHAW FLOORS marks, including <shawfloors.com> and <shaw-floors.com>

Since at least as early as 1985, the Complainants have prominently used some of the SHAW Marks and names in connection with carpeting and hardwood flooring related goods, provided directly to consumers. The Complainants have spent millions of dollars displaying, promoting, and advertising the SHAW Marks.

The disputed domain name <shawfloors-us.com> was registered on August 28, 2025.

5. Parties' Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that the Respondent's disputed domain name is confusingly similar to the SHAW Marks, as well as a myriad of Shaw-owned domain names containing the SHAW Marks. The disputed domain name incorporates the SHAW Marks and is nearly identical to several of the domain names previously listed, particularly <shawfloors.com> and <shaw-floors.com>. The Respondent's disputed domain name contains the SHAW Mark and the term "us". The presence of this descriptive geographical wording does nothing to differentiate the disputed domain name from the registered SHAW Marks.

The Respondent is not listed as an owner of any United States of America trademark containing a formative of the term "Shaw". Nor is there any evidence that the Respondent owns or has applied for any United States of America trademark registrations. There is also no evidence that the Respondent, as an individual, business or other organization, is commonly known by the disputed domain name, even if the Respondent has acquired trademark or service mark rights. The Respondent has made no use of, nor any demonstrable preparations to use, the disputed domain name or any name corresponding to the disputed domain name in

connection with a bona fide offering of goods or services. The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name.

The Respondent is using the SHAW Marks in a phishing exercise. The Complainants are aware of at least one instance in which the Respondent is using the SHAW Marks in its disputed domain name to send an email to the Complainants' customer to impersonate the Complainants and request invoice information from the Complainants' customer.

The Complainants' mark is well-known in connection with carpets and flooring, and the Complainants have expended numerous amounts of money promoting, selling and advertising Shaw products, and the Complainants continue to maintain ongoing business operations in the United States of America. The Respondent is using a domain name that is identical and confusingly similar to trademarks in which Complainants have rights. The Respondent's use of the disputed domain name is an intentional attempt to attract for commercial gain Internet users to the Respondent's website by creating a likelihood of confusion with the SHAW Marks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainants have demonstrated they have registered trademark rights in the SHAW Marks. The addition of the terms "floors" and "-us" does not prevent a finding of confusing similarity. See section 1.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions Third Edition ("[WIPO Overview 3.0](#)").

Accordingly, the disputed domain name is confusingly similar to a mark in which the Complainants have rights.

B. Rights or Legitimate Interests

The Complainants have presented a *prima facie* case that the Respondent has no rights or legitimate interests in respect of the disputed domain name and has not been commonly known by the disputed domain name. The fact that the Respondent obtained the disputed domain name which incorporated Complainants' federally registered SHAW trademark and merely adds the term "-us" to one of Complainants' primary domain names `<shawfloors.com>` indicates that the Respondent likely sought to piggyback on the mark for illegitimate reasons, namely, to engage in a phishing scheme targeting customers of the Complainants (a conclusion supported by the Complainants' evidence and not denied by the Respondent).

After a complainant has made a *prima facie* case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Here, the Respondent has provided no evidence of any rights or legitimate interests in the disputed domain name. Moreover, the use of a domain name for illegal activity can never confer rights or legitimate interests upon a respondent. [WIPO Overview 3.0](#), section 2.13.

In the absence of any evidence rebutting the Complainants' *prima facie* case indicating the Respondent's lack of rights or legitimate interests in respect of the disputed domain name, the Panel finds that the Complainants have satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The disputed domain name was registered years after the Complainants first used its SHAW Marks. The evidence provided by the Complainants makes it clear that the Respondent undoubtedly knew of the Complainants' SHAW Marks and knew that it had no rights or legitimate interests in the disputed domain name when it registered the disputed domain name.

There is no apparent benign reason for the Respondent to have registered the disputed domain name that is a variant of the Complainants' marks.

Further, the use of the disputed domain name by the Respondent is in bad faith. Paragraph 4(b)(iv) states that evidence of bad faith may include a respondent's use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent's web site or other on-line location, by creating a likelihood of confusion with the complainant's mark. The Complainants have alleged and provided evidence that the Respondent used the disputed domain name to send fraudulent emails to a customer to scam the Complainants' customer. The fact that the disputed domain name does not resolve to an active website is irrelevant, noting that it can nevertheless be used for email purposes and as ammunition to attack the Complainants and their clients. In this case there is clear evidence of bad faith use on the part of the Respondent. In the circumstances, the Panel finds bad faith.

Accordingly, the Panel finds that the disputed domain name has been registered and is being used in bad faith.

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 <shawfloors-us.com> be transferred to the Complainants.

/Colin T. O'Brien/
Colin T. O'Brien
Sole Panelist
Date: November 24, 2025