

## ADMINISTRATIVE PANEL DECISION

Modes Moose Inc. v. Registration Private  
Case No. D2025-4086

### 1. The Parties

The Complainant is Modes Moose Inc., Canada, represented by Com Laude Limited, United Kingdom.

The Respondent is Registration Private, United States of America.

### 2. The Domain Name and Registrar

The disputed domain name <mooseknucklescanadashop.com> is registered with NameCheap, Inc. (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 7, 2025. On October 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 7, 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 Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 8, 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 October 10, 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 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 3, 2025.

The Center appointed Teruo Kato as the sole panelist in this matter on November 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**

According to the Complainant, the Complainant is a company incorporated in Canada and it specializes in manufacturing of luxury outerwear, sportswear, and accessories under the Moose Knuckles Canada brand. The Complainant claims that the brand was founded in 2009 and has since then grown into one of the leading outerwear brands available across the world and that the Complainant operates 21 official Moose Knuckles Stores and Moose Knuckles Outlet Stores, and partners with a further 372 stores worldwide to sell its products.

The Complainant also contends with evidence that it owns a global portfolio of registered trademarks which incorporate the term MOOSE KNUCKLES, including:

Registration no.	Mark	Jurisdiction	Registration Date	Int. Class(es)
TMA788861	MOOSE KNUCKLES	Canada	January 27, 2011	25
TMA1138058	MOOSE KNUCKLES CANADA	Canada	August 16, 2022	25, 35

In the Whois records submitted by the Complainant the Respondent was stated as "Redacted for Privacy" (Registrant Name) and "Privacy service provided by Withheld for Privacy ehf" (Registrant Organization), with an address in Iceland. Upon inquiry from the Center, the Registrar confirmed that on their record the identity of the Respondent was stated as "Registration" (First Name) and "Private" (Last Name), with an address in the United States of America. The real identity of the Respondent remains unknown.

The disputed domain name was registered on August 22, 2025.

The Complainant contends with evidence that, prior to the web hosting takedown action taken by its agent of September 8, 2025, the disputed domain name resolved to an identical website to the Complainant's. The Complainant contends that the Respondent scraped the Complainant's website and rehosted it in association with the disputed domain name, without any disclaimer that would clarify the lack of relationship between the Complainant and the Respondent.

#### **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 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "shop", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

Panels have held that the use of a domain name for impersonation/passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 it is clear to the Panel that the use of the disputed domain name by the Respondent falls into the scope of paragraph 4(b)(iv), being "by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location."

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

The Panel also takes a note of that the Respondent has engaged an additional privacy service, which in the Panel's view reinforces the finding of the Respondent's bad faith. [WIPO Overview 3.0](#), section 3.6. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith 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 <mooseknucklescanadashop.com> be transferred to the Complainant.

*/Teruo Kato/*  
**Teruo Kato**  
Sole Panelist  
Date: November 18, 2025