

## **ADMINISTRATIVE PANEL DECISION**

Masco Corporation v. Marvin Reid, The Construction League, LLC  
Case No. D2025-4162

### **1. The Parties**

The Complainant is Masco Corporation, United States of America (“United States”), represented by Com Laude Limited, France.

The Respondent is Marvin Reid, The Construction League, LLC, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <mascocorporation.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 10, 2025. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 14, 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 16, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 13, 2025.

The Center appointed Dennis A. Foster 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**

The Complainant is a United States corporation based in the State of Michigan. The Complainant specializes in the design and manufacture of bathroom and plumbing products, fixtures, and accessories in the United States and a number of foreign countries. The Complainant's predecessor in interest was founded in 1929.

The Respondent is an individual/company that registered the disputed domain name on August 28, 2025. It resolves to a pay-per-click ("PPC") webpage offering advertising links to vendors that deal in the same type of goods as the Complainant.

The disputed domain name is also equipped to handle mail exchange ("MX") email communications using the disputed domain name as an email address.

The Complainant owns the following registered MASCO trademarks:

- United Kingdom trade mark no. 903496858, registration date July 4, 2007, International Classes, inter alia, 2 for paints, varnishes, lacquers and preservatives; 6 for common metals and their alloys; 11 for apparatus and installations for heating and cooling, water supply and sanitizing; 17 for processed and unprocessed rubber and insulating materials; and 19 for non-metal building materials;
- European Union Trade Mark no. 3496858, registration date July 4, 2007, International Classes the same as the above United Kingdom trademark;
- India trademark registration no. 1613006, registration date October 18, 2007, International Class 11 per the United Kingdom trademark above.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that:

- the disputed domain name incorporates the Complainant's MASCO trademark in its entirety;
- when combined with the MASCO trademark, the adornment "corporation" does not dispel the confusion;
- it has found no evidence that the Respondent was commonly known as MASCO Corporation prior to registration of the disputed domain name;
- the Respondent is not a licensee of the Complainant and has not received permission from the Complainant to use its MASCO marks in association with the registration or use of the disputed domain name;
- it Complainant has found no evidence that the Respondent has ever traded in bona fide goods or services under the name MASCO Corporation;
- it Complainant avers that the Respondent cannot claim a legitimate fair use interest in the disputed domain name as this carries a risk of implied affiliation with the Complainant;
- the Respondent using the word "corporation" in the disputed domain name also implies an affiliation with the Complainant in that the Complainant is a corporation;
- the Respondent's display of PPC advertising in association with a domain name that is confusingly similar to the Complainant's trademark is sufficient for a finding of registration and use in bad faith;

- with its MX email message exchange setup at the disputed domain name, the Respondent is capable of sending emails that receivers are apt to assume originated from the Complainant.

## **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 issue 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 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 Complainant has exhibited copies of a few of its MASCO trademark registrations whose details the Panel has set out above. The Panel finds this is proof that the Complainant owns trademark rights. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.2.1.

The Panel observes that the disputed domain name contains the Complainant's MASCO trademark in its entirety, and therefore the disputed domain name is confusingly similar to the Complainant's trademark. [WIPO Overview 3.0](#), section 1.7. The Panel also observes that the Respondent has added only the term "corporation" to the Complainant's trademark in the disputed domain name. The Panel finds this added term does not obviate the confusing similarity between the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.8. See also the similar case *Masco Corporation v. Beverly Burnet*, WIPO Case No. [D2024-4541](#), for a similar finding on this point.

As the Complainant points out, the generic Top-Level Domain ".com" is typically not taken into consideration when performing an identity or confusing similarity analysis under the Policy. [WIPO Overview 3.0](#), section 1.11.

Therefore, the Panel finds that the Complainant has carried its burden of proof under Policy paragraph 4(a)(i) to show that the Respondent has registered a disputed domain name that is confusingly similar to the Complainant's trademark.

### **B. Rights or Legitimate Interests**

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, i.e., "proving a negative", can be a difficult task requiring information that is often primarily within the knowledge or control of the respondent. Therefore, 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 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.

In our present case, the Complainant contends that it has not authorized the Respondent to use its trademark in the disputed domain name or in any other way. The Panel finds this is a prima facie case. [WIPO Overview 3.0](#), section 2.1.

For its part, the Respondent is in default and thus has not come forward with evidence to try to rebut the Complainant's prima facie case. The Panel nonetheless will peruse the case file to see if there may be evidence tending to show the Respondent has rights or legitimate interests in the disputed domain name per Policy paragraphs 4(c)(i), (ii), and (iii).

Under Policy paragraph 4(c)(i), the Respondent would need to 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. The Respondent in fact has been using the disputed domain name to show a landing page that offers PPC connections to other websites that offer the same goods and services that the Complainant offers. The Panel finds this is not a bona fide offering of goods and services, and the Panel will have more to say about this in the Bad Faith section below. As section 2.9 of [WIPO Overview 3.0](#) notes: "Applying UDRP paragraph 4(c), panels have found that the use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users."

Continuing to Policy paragraph 4(c)(ii), the Respondent would have to show that it has been commonly known as the disputed domain name, but that does not appear to be the case herein. Failing that, the Respondent could have shown per Policy paragraph 4(c)(iii) that it has been using the disputed domain name to make a noncommercial or fair use, but there is no evidence to support this either.

The Panel therefore finds that the Complainant has succeeded in showing 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 Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) establishes four non-exhaustive circumstances that could be evidence of the registration and use of a disputed domain name in bad faith.

In the present case, the Panel notes that the Respondent registered the disputed domain name using the Complainant's trademark on August 28, 2025. Within a few weeks, the Respondent had set up a PPC website seeking to attract Internet visitors looking for the Complainant in order to direct them to competitors of the Complainant offering the same goods as the Complainant. The Panel finds this violates the Policy bad faith provisions at paragraph 4(b)(iv): the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. See *Chevron Corporation and Chevron Intellectual Property LLC v. Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [DCO2023-0030](#) in which the panel found: "With regard to the use, it has been proven that the disputed domain name resolves to a webpage displaying PPC links and therefore the Respondent's attempt to divert consumers to third parties unrelated to the Complainants and some in direct competition with the Complainants, purportedly obtaining revenues for this activity. This is deemed to be in bad faith."

The Panel thus finds that the Complainant has carried its burden of proof under Policy paragraph 4(a)(iii) to show that the Respondent has registered and is using the disputed domain name 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 <mascocorporation.com> be transferred to the Complainant.

*/Dennis A. Foster/*

**Dennis A. Foster**

Sole Panelist

Date: December 1, 2025