

ADMINISTRATIVE PANEL DECISION

RuffLand Performance, LLC v. ruffland kennel
Case No. D2025-4308

1. The Parties

Complainant is RuffLand Performance, LLC, United States of America, represented by Woods, Fuller, Shultz & Smith P.C., United States of America.

Respondent is ruffland kennel, United States of America.

2. The Domain Name and Registrar

The Disputed Domain Name <rufflandkennel.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 21, 2025. On October 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 23, 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 (John Doe) and contact information in the Complaint. The Center sent an email communication to Complainant on October 23, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on October 24, 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 Respondent of the Complaint, and the proceedings commenced on October 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 17, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on November 18, 2025.

The Center appointed Richard W. Page as the sole panelist in this matter on November 20, 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

Complainant is a limited liability company organized in South Dakota and headquartered in Tea, South Dakota. Since 2001, Complainant has manufactured and sold durable dog kennels. Complainant also sells related kennel accessories, as well as dog dishes and bowls. Since its inception, Complainant has built a reputation for high quality manufacturing and customer care. Complainant has customers across the United States. Complainant sells its goods to its customers directly from its website as well as through a network of authorized dealers.

Complainant is the owner of the following United States Trademark Registrations (the "RUFFLAND Mark"):

United States Registration No. 5786880 for RUFFLAND, registered in international class 020, and registered on June 25, 2019; and

United States Registration No. 5804430 for RUFFLAND PERFORMANCE KENNELS registered in international class 020, and registered on July 16, 2019.

The supporting documentation for these alleged Registrations is contained in Annex 2.

The RUFFLAND Mark is displayed on Complainant's official website located at <rufflandkennels.com>.

The Disputed Domain Name was registered on March 20, 2025, resolves to a website which has copied Complainant's RUFFLAND Mark, images, product descriptions, and other language from Complainant's own website and has been enrolled in a mail exchange (MX) to enable the sending and receipt of email.

5. Parties' Contentions

A. Complainant

Complainant contends that it has enforceable trademark rights in the RUFFLAND Mark.

Complainant further contends that the Disputed Domain Name is an obvious and intentional misspelling the RUFFLAND Mark and constitutes cybersquatting. Respondent has simply removed the "s" from Complainant's domain name for its official website. Complainant further contends that the only difference between the RUFFLAND Mark and the Disputed Domain Name is the addition of the word "kennel."

Complainant submits that Respondent is using the Disputed Domain Name to scam Complainant's actual or potential customers, with phishing attempts and/or fraudulent requests for payment.

Complainant further submits that Respondent is impersonating Complainant's website. This is confirmed by the fact that Respondent has copied Complainant's RUFFLAND Mark, images, product descriptions, and other language from Complainant's own website in an attempt impersonate Complainant and trick customers into providing personal and/or payment information.

Complainant further submits that it has received numerous customer complaints regarding the Disputed Domain Name. In most instances, the consumers report that they placed orders on the website to which the Disputed Domain Name resolves and paid via Zelle, Apple Pay, or Chime. These consumers were then

contacted by Respondent via email or Facebook messenger and asked to pay additional fees. The consumer never received the product and eventually realized they had been scammed.

Complainant further submits that Respondent is not commonly known by the Disputed Domain Name. There is no evidence that the name used to register the Disputed Domain Name – “RUFFLAND KENNEL” – has been used for any bona fide or legitimate business. Complainant further submits that Respondent has not engaged in any bona fide sales or legitimate activity and likely does not exist.

Complainant alleges that Respondent has violated provisions of paragraph 4(b)(iv) of the Policy and therefore has registered and used the Disputed Domain Name in bad faith.

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: “A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable.”

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the RUFFLAND Mark in which Complainant has rights; and,
- ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and,
- iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

[WIPO Overview 3.0](#), section 1.2.1 states that registration of the RUFFLAND Mark is prima facie evidence of Complainant having enforceable rights in the RUFFLAND Mark. In the present case, the Panel notes that Complainant owns registered RUFFLAND trademarks. Accordingly, the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy.

Complainant has alleged that since 2001 it has marketed across the United States. Complainant further alleges that it sells its goods under the RUFFLAND name to its customers directly from its website as well as through a network of authorized dealers.

The Panel notes that Respondent has not contested any of Complainant's contentions.

The Panel finds Complainant has established unregistered trademark or service mark rights in the RUFFLAND Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

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 RUFFLAND Mark and the Disputed Domain Name. [WIPO Overview 3.0](#), section 1.7.

The entirety of the RUFFLAND Mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the RUFFLAND Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds that the addition of the word “kennel” to the RUFFLAND Mark to make the Disputed Domain Name does not affect the finding of confusing similarity.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

(i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or

(ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or

(iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the RUFFLAND Mark or service mark at issue.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to 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 Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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 the Disputed Domain Name for illegitimate activity, here impersonation, phishing, and fraud can never confer rights or legitimate interests on 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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the RUFFLAND Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or
- (ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the RUFFLAND Mark from reflecting the RUFFLAND Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the RUFFLAND Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

The Panel finds that the actions of Respondent are violative of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of the Disputed Domain Name illegitimate activity, here impersonation, phishing, and fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 <rufflandkennel.com> be transferred to Complainant.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: November 28, 2025