

ADMINISTRATIVE PANEL DECISION

Pye-Barker Fire & Safety, LLC v. amanda baker, TrustSec
Case No. D2025-4337

1. The Parties

Complainant is Pye-Barker Fire & Safety, LLC, United States of America ("United States"), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

Respondent is amanda baker, TrustSec, United States.

2. The Domain Name and Registrar

The disputed domain name <pyebarkerfiresafety.cam> 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 22, 2025. On October 23, 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 (Redacted for Privacy / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on October 24, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on October 24, 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 Respondent of the Complaint, and the proceedings commenced on October 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on November 25, 2025.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on December 1, 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 for the last several decades has been a leading provider of fire safety and security equipment and services. Complainant has used its PYE-BARKER trademark in the United States for many years, currently owning the following federal registrations for PYE-BARKER and derivative marks: United States Trademark Registration No. 7436794 (service mark PYE-BARKER, words only), registered on July 9, 2024 in classes 37, 41, 42 and 45 with a first use in commerce dating from 1978; United States Trademark Registration No. 7396241 (service mark; design with word mark PYE BARKER FIRE & SAFETY SINCE 1946), registered on May 28, 2024 in classes 37, 41 and 42 with a first use in commerce dating from 2014; and United States Trademark Registration No. 7634964 (service mark; design and mark PB PYE-BARKER FIRE & SAFETY EST. 1946), registered on December 31, 2024 in classes 37, 41, 42 and 45.

Complainant maintains a publicly available website at “www.pyebarkfs.com”.

The disputed domain name was registered on May 17, 2025 and does not resolve to an active webpage.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant avers that its business was founded in 1946 and that the PYE-BARKER trademark has been in use widely in the United States since the 1970s. Complainant also avers that Respondent configured the disputed domain name for use with email servers as a likely step for use in email scams. Complainant alleges that on June 9, 2025, its legal counsel sent Respondent a cease and desist letter requesting transfer of the disputed domain name, to which no response has been received.

B. Respondent

Respondent did not reply to 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.

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, with the omission only of the hyphen between the words “PYE” and “BARKER.” 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, “firesafety”) may bear on assessment of the second and third elements, the Panel finds that the addition of that 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 that the first element of Policy paragraph 4(a) has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which 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.

The Panel accepts Complainant’s unopposed allegations that Respondent has no authorization or affiliation that would permit Respondent to use Complainant’s marks in the disputed domain name and that Respondent is not commonly known by the disputed domain name. The Panel also notes that the disputed domain name does not resolve to an active webpage and there is no evidence showing that Respondent is making preparations for bona fide or fair use.

Having reviewed the available record, the Panel finds that 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.

The Panel finds that the second element of Policy paragraph 4(a) 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, the Panel notes that Respondent registered the confusingly similar disputed domain name only after Complainant’s marks were in broad use for decades. This, taken together with the fact that the disputed domain name is nearly identical to the name both of Complainant’s business and Complainant’s own website, leads the Panel to infer that Respondent knew of Complainant and the PYE-BARKER mark when registering the disputed domain name. The Panel concludes therefore that Respondent targeted Complainant and registered the disputed domain name in bad faith.

The Panel also notes that Respondent configured the disputed domain name for use with email servers but there is no evidence in the case file of phishing emails.

While paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, other circumstances may also be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of Complainant's PYE-BARKER trademark, and the composition of the disputed domain name (essentially copying Complainant's company name), and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Respondent's failure to respond to Complainant's cease and desist letter and to the Complaint in these proceedings and Respondent's failure to maintain accurate contact details¹ in compliance with its registration agreement are further evidence of bad faith.

The Panel finds that Complainant has established the third element of paragraph 4(a) 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 <pyebarkerfiresafety.cam> be transferred to Complainant.

/Jeffrey D. Steinhardt/

Jeffrey D. Steinhardt

Sole Panelist

Date: December 15, 2025

¹ Notification of these proceedings to Respondent could not be delivered by courier to the address listed by Respondent with the registrar.