

ADMINISTRATIVE PANEL DECISION

U.S. Merchants Financial Group, Inc. v. Wayne Ramirez
Case No. D2025-5055

1. The Parties

The Complainant is U.S. Merchants Financial Group, Inc., United States of America, represented by Thompson Hine LLP, United States of America.

The Respondent is Wayne Ramirez, United States of America.

2. The Domain Name and Registrar

The disputed domain name <thegreenmade.org> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 5, 2025. On December 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 5, 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 (DATA REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 10, 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 December 15, 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 December 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 20, 2026.

The Center appointed Evan D. Brown as the sole panelist in this matter on January 28, 2026. 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 in the business of selling, among other things, storage containers. It owns the trademark GREENMADE, for which it enjoys the benefits of registration, including United States Reg. No. 5,167,072, registered on March 21, 2017. According to the Whois records, the disputed domain name was registered on October 8, 2025. The Respondent has used the disputed domain name to publish a website which presents largely as if it were an official GREENMADE brand site, prominently using the Complainant's GREENMADE mark in a source-identifying manner that implies legitimacy.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name, and (iii) the disputed domain name has been registered and is being used in bad faith. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. 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. This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. The Complainant has demonstrated its rights in the GREENMADE mark by providing evidence of its United States trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the GREENMADE mark in its entirety, preceded by the term "the". The addition of this non-distinctive article does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's GREENMADE mark. See [WIPO Overview 3.0](#), section 1.8. The GREENMADE mark remains clearly recognizable within the disputed domain name.

It is standard practice when comparing a disputed domain name to a complainant's trademark to disregard the generic Top-Level Domain ("gTLD"), in this case ".org". See [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's GREENMADE mark and that the Complainant has established the first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first determining whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If such a showing is made, the burden of production shifts to the Respondent to demonstrate rights or legitimate interests, while the overall burden of proof remains with the Complainant.

On this point, the Complainant asserts that: (1) the Respondent is not associated with the Complainant and has not been licensed or authorized to use the disputed domain name or the GREENMADE mark; (2) the Respondent's website improperly trades on the Complainant's GREENMADE mark by presenting itself as a legitimate and official brand website; (3) the Respondent has used pictures and descriptions that appear to have been taken directly from the websites of authorized resellers of genuine GREENMADE branded products; and (4) the Respondent is impersonating the Complainant by providing the Complainant's contact information without authorization.

The Panel finds that these assertions, supported by the record, are sufficient to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Panel has also reviewed the website to which the disputed domain name resolves. Near the bottom of the page appears the language: "thegreenmade.org is a participant in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to Amazon.com." The website further states: "This website is not affiliated with Greenmade brand."

This language prompts the Panel to consider whether the Respondent could assert rights or legitimate interests under the principles articulated in *Okidata Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), which provides guidance on when a reseller or distributor may be found to be making a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy.

Under the *Okidata* test, a respondent must satisfy several cumulative requirements, including that it (i) actually offer the trademarked goods or services at issue, (ii) use the site to sell only the trademarked goods or services, (iii) accurately and prominently disclose its relationship (or lack thereof) with the trademark holder, and (iv) not attempt to corner the market in domain names reflecting the trademark.

Although the website includes a disclaimer stating that it is not affiliated with the Greenmade brand, such disclaimer appears at the bottom of the page and does not readily cure the misleading impression created by the disputed domain name itself and the overall presentation of the website, which clearly uses the GREENMADE mark in a source-identifying manner. For this reason, the site does not accurately and prominently disclose the Respondent's (lack of) relationship with the Complainant.

The Respondent has not submitted any Response and has therefore failed to rebut the Complainant's prima facie case. Nothing in the record otherwise supports a finding that the Respondent has rights or legitimate interests in respect of the disputed domain name.

Accordingly, the Panel finds that the Complainant has established the second element of paragraph 4(a) of the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

The record supports a finding that the Respondent targeted the Complainant and its GREENMADE mark when registering the disputed domain name. The GREENMADE mark had been registered for several years prior to the October 8, 2025, registration date of the disputed domain name. The composition of the disputed domain name, which wholly incorporates the GREENMADE mark, together with the Respondent's use of the website to present itself as an official GREENMADE site using the Complainant's branding, images, and contact information, demonstrates that the Respondent had actual knowledge of the Complainant and its rights, and indeed targeted those rights.

On these facts, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's GREENMADE mark as to the source, sponsorship, affiliation, or endorsement of its website and the products offered thereon. This conduct falls squarely within paragraph 4(b)(iv) of the Policy and constitutes evidence of bad faith registration and use. See [WIPO Overview 3.0](#), section 3.1.4.

The impersonation of the Complainant, including the unauthorized use of the Complainant's contact information and product images, further reinforces the conclusion that the Respondent registered and is using the disputed domain name in bad faith.

In the absence of any Response or plausible good-faith explanation for the Respondent's conduct, and on the balance of probabilities, the Panel concludes that the disputed domain name was 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 <thegreenmade.org> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: February 11, 2026