

ADMINISTRATIVE PANEL DECISION

Masco Corporation and Liberty Hardware Mfg. Corp. v. Vladimir Veselovskiy
Case No. D2025-5060

1. The Parties

The Complainants are Masco Corporation, United States of America ("United States"), and Liberty Hardware Mfg. Corp., United States, represented by Com Laude Limited, United Kingdom.

The Respondent is Vladimir Veselovskiy, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <franklin-brass.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 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 (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 December 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 December 11, 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 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 5, 2026.

The Center appointed Petra Pecar as the sole panelist in this matter on January 9, 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 First Complainant is Masco Corporation (hereinafter “First Complainant”), a corporation incorporated in Delaware, United States, and headquartered in Livonia, Michigan, United States. The First Complainant was founded in 1929 and is an American designer, manufacturer, and distributor of decorative architectural and plumbing products. The First Complainant operates more than 100 subsidiaries, runs 42 manufacturing facilities (30 in North America), employs approximately 18,000 people worldwide, and owns a portfolio of well-known brands, including FRANKLIN BRASS.

The Second Complainant is Liberty Hardware Mfg. Corp. (hereinafter “Second Complainant”), a subsidiary of the First Complainant, founded in 1942 and acquired by the First Complainant in 1997. The Second Complainant distributes FRANKLIN BRASS–branded cabinet and bath hardware and other home hardware products. For 2024, its revenue was estimated at USD 92.8 million, with approximately 350 employees, and it is the proprietor of the registered FRANKLIN BRASS trademarks relied upon in this proceeding.

The Second Complainant is the owner of a global portfolio of registered trademarks that incorporate the term FRANKLIN BRASS, among others the following trademarks:

- United States trademark FRANKLIN BRASS, No. 1660577, registered on October 15, 1991, in Class 21;
- United States trademark FRANKLIN BRASS, No. 5680896, registered on February 19, 2019, in Classes 6, 11, and 20; and
- Canadian trademark FRANKLIN BRASS, No. TMA1041721, registered on July 16, 2019, in Classes 6 and 20.

The Second Complainant is a subsidiary of the First Complainant.

The Complainants operate official websites and own domain names reflecting their corporate and brand presence, including the First Complainant’s corporate website at “www.masco.com” and the Second Complainant’s long-standing ownership of the domain name <franklinbrass.com>, which it has held since 1996 in connection with the FRANKLIN BRASS brand.

The disputed domain name was registered on August 8, 2024. At the time of the Complaint filing, the disputed domain name resolved to a website providing content solely related to the FRANKLIN BRASS brand and its products.

The Respondent is an individual from Ukraine.

5. Parties’ Contentions

A. Complainants

The Complainants contend that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name to the Second Complainant.

Notably, the Complainants contend that the disputed domain name is confusingly similar to a trademark in which the Complainants have rights. The Complainants submit that their trademark rights in FRANKLIN BRASS substantially predate the registration of the disputed domain name by approximately 33 years. The disputed domain name incorporates the FRANKLIN BRASS trademark in its entirety and differs only by the

addition of a hyphen, which is a common formatting feature in domain names and does not prevent a finding of confusing similarity. The Complainants submit that the “.com” generic Top-Level Domain (hereinafter “gTLD”) is a technical requirement and is disregarded for the purposes of this comparison.

The Complainants contend that the Respondent has no rights or legitimate interests in the disputed domain name, as the Respondent is neither commonly known by FRANKLIN BRASS nor the holder of any trademark rights, and has not been licensed, authorized, or otherwise permitted by the Complainants to use the FRANKLIN BRASS trademark. Further, the Respondent is not making any legitimate or fair use of the disputed domain name. The disputed domain name being identical to the FRANKLIN BRASS trademark and thereby creating a risk that Internet users will assume an affiliation with the Complainants. In addition, the disputed domain name is not used in connection with any bona fide offering, the associated website presenting itself as FRANKLIN BRASS, adopting the Complainants’ branding and content, and failing to disclose the absence of any relationship with the Complainants, with the result that Internet users are misled as to source, sponsorship, or authorization. The disputed domain name has been configured with MX records and is therefore capable of being used for email. In light of the high likelihood of confusion arising from the disputed domain name and the associated website, any email use would be liable to mislead recipients into believing that communications originate from, or are authorized by, the Complainants, and cannot confer any rights or legitimate interests on the Respondent.

That confusion is reinforced by the associated Respondent’s website, which presents itself as “Franklin Brass”, prominently uses the FRANKLIN BRASS trademark, mimics the Complainants’ branding and overall look and feel, displays FRANKLIN BRASS product imagery, other Complainants’ content, and includes no disclaimer to dispel the false impression of authorization or affiliation.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issue – Location of the Respondent

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

The location of the Respondent disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

Having considered all the circumstances of the case, including the potential impact of the ongoing international conflict in Ukraine on case notification, the Panel is of the view that the proceeding should continue.

The record shows that the Center transmitted the Complaint (together with the amended Complaint) to the Respondent by the means set out in the Rules, including by email to the email address(es) provided by the Registrar. On the present record, although the email communications were undeliverable to the postmaster email address and the contact email address available on the website under the disputed domain name, there is no evidence that they were undeliverable to the Respondent’s email address as confirmed by the Registrar.

The Panel notes that certain other notification attempts were not successful. The case file includes non-delivery reports indicating that fax transmission attempts on December 15, 2025 were unsuccessful (including due to a detected telephone line/connection problem and because the dialed number rang but was not answered). The Panel also notes the tracking information for the international registered letter, which indicates that the item reached the destination country, was registered for collection on December 31, 2025, and was ultimately marked as delivery failed due to the recipient being absent on January 2, 2026.

In these circumstances, the Panel considers that the Center employed reasonably available means calculated to achieve notice and that the Respondent has been given a fair opportunity to present its case. The Respondent has not filed any response and has not otherwise come forward to indicate that it did not receive notice of the proceeding or that it requires additional time due to the circumstances referenced above. Taking into account the Panel's duty under paragraph 10 of the Rules to ensure due expedition, the Panel considers it appropriate to proceed to a Decision on the basis of the available record.

It is moreover noted that, for reasons set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith, with the intention of unfairly targeting the Complainants' goodwill in their trademark.

Accordingly, the Panel concludes that the Parties have been treated with equality and that each Party has been given a fair opportunity to present its case; and, so that the administrative proceeding takes place with due expedition, the Panel will proceed to render this Decision.

6.2. Procedural Issues: Consolidation of Multiple Complainants

The Complainants refer to section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), which provides that, in cases involving multiple complainants against a single respondent, panels assess whether (i) the complainants have a specific common grievance against the respondent, or whether the respondent has engaged in common conduct affecting the complainants in a similar manner, and (ii) whether it would be equitable and procedurally efficient to permit consolidation.

In the present case, the Complainants submit that they have a specific common grievance against the Respondent. Both Complainants form part of the same corporate group, with the Second Complainant being a wholly owned subsidiary of the First Complainant. The disputed domain name takes unfair advantage of the Complainants' reputation and is confusingly similar to the Second Complainant's registered FRANKLIN BRASS trademark rights. Accordingly, the Complainants share a common legal and commercial interest in the FRANKLIN BRASS trademark.

The Panel finds that the Respondent will not be prejudiced by the Complaint being brought jointly by both Complainants, and that consolidation is fair and procedurally efficient in the circumstances.

6.2. Substantive Issues

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 Complainants' trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainants have shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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

Furthermore, it is well accepted practice by UDRP panels that a gTLD, such as “.com”, is typically ignored when assessing whether a domain name is identical or confusingly similar to a trademark (see section 1.11 of the [WIPO Overview 3.0](#)). For that reason, the Panel accepts not to take into consideration the gTLD “.com” when assessing confusing similarity of the disputed domain name.

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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants’ 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.

According to the Complainants, the Respondent is not affiliated with or connected to the Complainants in any way, and the Complainants have not granted the Respondent any license or authorization to use or register a domain name incorporating the FRANKLIN BRASS trademarks. The Respondent has failed to respond to the Complaint and has therefore provided no evidence of any rights or legitimate interests in the disputed domain name. The disputed domain name has not been used in connection with any legitimate or bona fide offering of goods or services, as at the time of Complaint filing it resolved to an online store presenting itself as “Franklin Brass”, prominently displaying the FRANKLIN BRASS trademarks, product imagery, misappropriating the Complainants’ official address, and closely resembling the Complainants’ official online presence, without any disclaimer as to the absence of any relationship between the Parties. In addition, the disputed domain name is configured with MX records, enabling email use, including the risk of deceptive email communications, which further supports the conclusion that the Respondent has no rights or legitimate interests in the disputed domain name.

UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

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

In the present case, the disputed domain name has been used in a manner that falsely suggests an association with the Complainants, and the configuration of the disputed domain name for email use further heightens the risk that it may be used to mislead third parties. Such conduct cannot amount to a bona fide offering of goods or services or any legitimate noncommercial or fair use, and therefore cannot confer rights or legitimate interests on the Respondent.

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, the Panel observes that the Respondent's disputed domain name consists of the FRANKLIN BRASS trademark in its entirety, with a hyphen used in place of the space between the words, and the gTLD ".com". The registration of the disputed domain name, which incorporates the Complainants' FRANKLIN BRASS trademark, indicates the Respondent's awareness of the Complainants and their FRANKLIN BRASS trademarks. Regarding bad faith at the time of registration, the Panel finds that the Respondent was aware of the Complainants' rights in the FRANKLIN BRASS trademarks when the disputed domain name was registered, given the long-standing and distinctive nature of the FRANKLIN BRASS trademark, its complete incorporation in the disputed domain name without any additional distinguishing element, and the fact that such a precise match is unlikely to be accidental. The disputed domain name was designed to create a misleading association with the Complainants and their activities, with the Complainants' FRANKLIN BRASS trademark predating the registration of the disputed domain name by approximately 33 years. Consequently, the Panel concludes that the disputed domain name was registered in bad faith.

The Panel further notes that the disputed domain name has been used in a way that aims to create confusion and exploit the Complainants' reputation for fraudulent purposes. In particular, the confusion created by the composition of disputed domain name is reinforced by the overall presentation of the website associated with the disputed domain name, which impersonates the Complainants' official online presence. The record shows that the Respondent's website prominently headlines "We're Franklin Brass, Trusted Hardware Brand for Your Home", uses the FRANKLIN BRASS trademark at the top of the site and within text boxes, adopts a similar look and feel to the Complainants' corporate style including a blue and white colour theme, and displays photographs and other graphical elements showing the Complainants' FRANKLIN BRASS products. The website further incorporates a YouTube video posted by the Second Complainant on its official YouTube channel, uses the Second Complainant's FRANKLIN BRASS logotype as its favicon, and refers to itself as "Franklin Brass" in the HTML title tag and in the copyright notice. The Panel also notes the misappropriation of the Complainants' address and the absence of any disclaimer that would clarify that the Respondent has no relationship with the Complainants, which further increases the likelihood that Internet users will believe they are dealing with an official website, or at least one authorized, affiliated with, or endorsed by the Complainants.

The Panel additionally notes that the disputed domain name is configured with MX records and is therefore capable of email communication. In circumstances where a disputed domain name is identical or confusingly similar to a complainant's trademark and is used for a website that impersonates the complainant, the ability to send emails from that disputed domain name heightens the risk of deceptive communications and potential email impersonation schemes, and it therefore supports a finding of bad faith registration and use. Taken together, the impersonation of the Complainants' website, the lack of any disclaimer, and the potential for misleading email communications demonstrate an intentional attempt to deceive Internet users and exploit the Complainants' goodwill for improper gain. The mentioned strengthens the conclusion that the Respondent registered and used the disputed domain name with the purpose of gaining an unfair advantage by misleadingly associating it with the Complainants' reputation and FRANKLIN BRASS trademarks. Such conduct falls within the bad faith circumstances contemplated by paragraph 4(b) of the Policy, including paragraph 4(b)(iv), as it reflects an intentional attempt to attract Internet users by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. These actions have the potential to disrupt the Complainants' operations and harm their reputation. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith (Policy, paragraphs 4(a)(iii) and 4(b)).

Panels have held that the use of a domain name for illegitimate activity, including impersonation, passing off or other types of fraud, constitutes evidence of bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds that the Respondent used the disputed domain name in furtherance of such illegitimate activity by operating a website that impersonated the Complainants and was calculated to mislead Internet users into believing that it was an official website of, or otherwise affiliated with or endorsed by, the Complainants, thereby creating a likelihood of confusion. In these circumstances, the Panel concludes that the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainants have 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 <franklin-brass.com> be transferred to the Second Complainant.

/Petra Pecar/

Petra Pecar

Sole Panelist

Date: January 23, 2026