

ADMINISTRATIVE PANEL DECISION

Oaksip Inc v. Greg Sanchez
Case No. D2026-0227

1. The Parties

Complainant is Oaksip Inc, United States of America ("US"), represented by Lemuel Turner, US.

Respondent is Greg Sanchez, US.

2. The Domain Name and Registrar

The disputed domain name <oaksip.com> (the "Domain Name") is registered with Sav.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 20, 2026. On January 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 21, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name, which differed from the named Respondent ("Privacy service provided by Sav.com, LLC / Unknown Registrant") and contact information in the Complaint. The Center sent an email communication to Complainant on January 22, 2026, 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 January 22, 2026.

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 January 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 16, 2026. Respondent sent an email communication to the Center on February 3, 2026. Complainant sent a supplemental communication to the Center on February 4, 2026, and Respondent sent a responsive email to that communication on February 5, 2026. The Center commenced the panel appointment process on February 17, 2026.

The Center appointed Christopher S. Gibson as the sole panelist in this matter on February 19, 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

Complainant is the owner of the OAKSIP trademark, registered on the principal register of the United States Patent and Trademark Office ("USPTO"):

- Mark: OAKSIP
- USPTO Registration No.: 7288253
- Filing Date: February 23, 2022
- Registration Date: January 23, 2024
- International class 21 for whiskey glasses

Complainant states it has continuously used the OAKSIP mark in commerce in connection with consumer products, online retail, and branded packaging. Complainant operates its business through its website and third-party marketplaces.

The Domain Name was registered by Respondent on February 26, 2022, three days after Complainant filed its USPTO trademark application. Complainant states that at the time of registration of the Domain Name, Complainant's trademark application was publicly searchable in the USPTO database. The Domain Name resolves to a webpage where it is offered for sale, emphasizing the brand power of the name "OakSip" and providing a mock-up logo, which contains the name "OakSip" with the phrase "Smooth Flavor" placed immediately beneath it. The evidence submitted by Complainant showed the offering price was USD 2,925. When the Panel checked the website linked to the Domain Name, the price was set at USD 4,200.

5. Parties' Contentions

A. Complainant

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

(i) Identical or Confusingly Similar

Complainant submits the Domain Name is identical to Complainant's registered trademark, OAKSIP, differing only by the generic top-level domain ("gTLD") ".com," which is disregarded for purposes of comparison under the Policy. Accordingly, Complainant states the requirements of paragraph 4(a)(i) are satisfied.

(ii) Rights or Legitimate Interests

Complainant contends Respondent has no rights or legitimate interests in the Domain Name:

- Respondent is not commonly known by the name "Oaksip."
- Respondent has never been authorized or licensed by Complainant to use the OAKSIP mark.
- Respondent is not using the Domain Name for a bona fide offering of goods or services.
- Respondent is not making legitimate noncommercial or fair use of the Domain Name.

Complainant asserts Respondent's conduct consists solely of holding the Domain Name for resale, which does not establish rights or legitimate interests under the Policy. Accordingly, Complainant maintains the requirements of Paragraph 4(a)(ii) are satisfied.

(iii) Registered and Used in Bad Faith

Complainant asserts the Domain Name was registered and is being used in bad faith.

First, Complainant contends the Domain Name was an opportunistic registration. Respondent registered the Domain Name three days after Complainant filed its trademark application for OAKSIP. Given the distinctiveness of the OAKSIP mark and the timing of the Domain Name's registration, Complainant claims Respondent's conduct constitutes opportunistic bad faith registration. Second, Complainant contends the Domain Name was registered primarily for the purpose of selling it for valuable consideration in excess of out-of-pocket costs. The Domain Name automatically redirects to a commercial "premium domain for sale" landing page hosted by "maxbranded.com", explicitly offering the Domain Name for sale. Complainant argues this conduct constitutes bad faith under paragraph 4(b)(i) of the Policy, as the Domain Name was registered primarily for the purpose of selling it for valuable consideration in excess of out-of-pocket costs. Third, Complainant claims the registration of the Domain Name blocks Complainant as the trademark owner. By holding and offering the Domain Name for sale, Respondent prevents Complainant from reflecting its OAKSIP trademark in the corresponding ".com" domain name, further evidencing bad faith under paragraph 4(b)(ii). Fourth, Complainant contends that Respondent initially concealed its identity through a privacy service, which, in combination with the foregoing factors, supports a finding of bad faith. Finally, Complainant in its supplemental communication dated February 4, 2026, asserts that on February 2, 2026, Respondent contacted the Complainant directly outside the case with threatening and accusatory language regarding this dispute.

Accordingly, Complainant maintains the requirements of Paragraph 4(a)(iii) are satisfied.

B. Respondent

Respondent did not submit a formal Response and instead submitted an email dated February 3, 2026, claiming that Complainant's case is a frivolous attempt to steal Respondent's Domain Name. Respondent acknowledges that the Domain Name holds high value for Complainant; however, Respondent argues this case is an example of overreach by Complainant, attempting to take the Domain Name by force while Complainant has no grounds to do so. Respondent argues there is no law requiring that if a person owns a domain name and does not use it for a business, they must gift it to someone else who wants to use it for their business.

Respondent emphasizes that Complainant registered its OAKSIP trademark with the USPTO and was granted protection starting in 2024 specifically for whiskey glasses and only in the US jurisdiction. Respondent states "[i]n our research we found that to be true." However, Respondent contends trademarks are specific to a product and geography, and anyone can use the name "Oak Sip" as long as it is in relation to a geography and product that does not interfere with Complainant's trademark rights or the trademark rights that might have been granted to anyone else for other geographies and products in the US or elsewhere in the world. Respondent argues the following are examples of use the Domain Name that would not interfere with Complainant's trademark rights:

- "Oak Sip" for a California wine aged in oak.
- "Oak Sip" as a bar in "Twin Oaks" city.
- "OaksIP" for internet services (IP address), investment planning, or intellectual property services seeking the symbol of an oak tree to inspire tradition and strength.
- "OAKSIP" as a brand of whiskey glasses in France (direct competition with Complainant's trademark but located geographically outside of the scope of protection for Complainant's rights).

Respondent claims Complainant's wood cups are a minor brand currently (with sales of only a few thousands of dollars) and were nonexistent as a brand at the time the Domain Name was registered four years ago. Respondent states there is no ill intent on its part. The Domain Name is priced similar to many other domain names in Respondent's inventory, and Respondent is not overcharging. Respondent states "[w]e are just investing in domain names and seeking reasonable compensation for our assets, and to recover the expense of time and skills to develop the supporting brands, and the costs associated with domain name ownership and the website used to showcase the asset, which has taken years to build." Respondent states relatedly that domain name squatting is a horrible practice and Respondent takes no part in it.

Further, Respondent asserts that it is not currently violating Complainant's trademark rights, as Respondent is not selling a competitive product to whiskey glasses in the US or elsewhere, does not look anything like Complainant's brand, and has a clear and distinct message. Respondent submits there is zero chance that a reasonable person would confuse Respondent's brand design with Complainant's design. Respondent states it has no plans to ever use the Domain Name in a manner that would violate Complainant's rights.

Finally, Respondent argues that Complainant misrepresented Respondent's February 2, 2026, communication in an attempt to frame Respondent's behavior as being out of line. Instead, that message was a cordial yet firm notification that "[w]e do not condone theft and will fight this through legal action if necessary."

6. Discussion and Findings

In order to succeed on its Complaint, Complainant must demonstrate that the three elements set forth in paragraph 4(a) of the Policy have been satisfied. These elements are that:

- (i) the Domain Name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) Respondent has registered and is using the Domain Name in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element of the Policy functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between Complainant's trademark and the Domain Name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7. The Panel observes that Respondent has not specifically contested the first element of the Policy.

Complainant has shown that it has registered rights in respect of its OAKSIP trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. In this case the Domain Name was registered after Complainant filed its trademark application but before Complainant acquired its trademark registration. The Panel finds that this factual circumstance does not undermine Complainant's position under the first element of the Policy but should be considered in the analysis under the third element. [WIPO Overview 3.1](#), section 1.1.3 provides relevant guidance in this regard:

"Although the UDRP makes no specific reference to the date on which the holder of the trademark or service mark acquired its rights, such rights must be in existence at the time the complaint is filed. The fact that a domain name may have been registered before a complainant has acquired trademark rights does not by itself preclude a complainant's standing to file a UDRP case, nor a panel's finding of identity or confusing similarity under the first element. Where a domain name has been registered before a complainant has acquired trademark rights, only in exceptional cases would a complainant be able to prove a respondent's bad faith."

The entirety of the OAKSIP mark is reproduced within the Domain Name, with no variation. Accordingly, the Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Although the overall burden of proof in UDRP proceedings is on the complainant, UDRP 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 3.1](#), section 2.1.

Here, 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 Domain Name, while Respondent has failed to adequately rebut Complainant’s prima facie showing. Complainant states it has not licensed, authorized, or otherwise permitted Respondent to use its OAKSIP mark, and the evidence indicates Respondent is not commonly known by the name “Oaksip.” Moreover, Respondent is not making a legitimate noncommercial or fair use of the Domain Name. Instead, from the limited information in Respondent’s email dated February 3, 2026, it appears that Respondent – who has not specifically contested this second element of the Policy and has said very little about itself – is apparently a professional domain name investor who registered the Domain Name to be offered for sale and posted a website to promote its sale. Without Respondent saying more or providing any information about his business or why he chose the Domain Name, and in particular noting the circumstances around the registration of the Domain Name and the Panel’s finding under the third element, the Panel cannot infer that Respondent has established any rights or legitimate interest in the Domain Name. See e.g., [WIPO Overview 3.1](#), section 2.10.1, providing guidance that “merely registering a domain name comprised of a dictionary word or phrase would not by itself automatically confer rights or legitimate interests on the respondent.” The Panel observes that while some UDRP panels have found that commercial use of a domain name when registered by a professional domain name investor for resale might qualify as a bona fide offering of goods or services under the Policy, paragraph 4(c)(i), this is true only where the respondent did not register and use the domain name in bad faith, with intent to target or exploit a complainant’s trademark.

The crux of this case thus involves whether the evidence demonstrates that Respondent was likely aware of (or should have been aware of) Complainant and its OAKSIP trademark when registering the Domain Name, with Respondent’s subsequent alleged bad faith use of the Domain Name supporting that finding – that is, holding the Domain Name for resale in circumstances suggestive of targeting Complainant, and with circumstantial evidence indicating Respondent had Complainant in mind both when registering the Domain Name and later when seeking to sell it. After reviewing the available record, and for reasons that will be explained in more detail under the third element, the Panel finds that Respondent lacks rights or legitimate interests in the Domain Name and the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel observes that paragraph 4(b) of the Policy establishes circumstances that, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith. One of the scenarios is that the respondent has registered or acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring it to the complainant who is the owner of a trademark (or to a competitor of that complainant), for valuable consideration in excess of the respondent’s documented out-of-pocket costs directly related to acquiring the domain name. This matches the claim that Complainant has asserted against Respondent in this case. Moreover, bad faith under the

UDRP is broadly understood to occur where a respondent intentionally takes unfair advantage of or otherwise abuses a complainant's mark. See [WIPO Overview 3.1](#), section 3.1.

The Panel considers that the issues in this case present a close question. However, the Panel determines, on the balance of the probabilities, that Respondent registered and is using the Domain Name in bad faith. The Panel is mindful that, as indicated in [WIPO Overview 3.1](#), section 3.8.1, “where a respondent registers a domain name before the complainant’s trademark rights accrue, panels will not normally find bad faith on the part of the respondent.” However, section 3.8.2 provides that, “[a]s an exception to the general proposition described above in 3.8.1, in certain limited circumstances where the facts of the case establish that the respondent’s intent in registering the domain name was to unfairly capitalize on the complainant’s nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith.” One such exception is the registration of a domain name “following the complainant’s filing of a trademark application.” *Id.*

Here, the Panel observes that the timing of the Domain Name’s registration, three days after Complainant filed its trademark application, and the distinctiveness of the term “oaksip,” raises the likelihood that Respondent targeted Complainant’s OAKSIP mark when registering the Domain Name. Several other circumstances in this case also support this view. Although Respondent refers to other hypothetical “geographies” or goods/services for trademark registrations, Respondent is located in the US, which is the same jurisdiction where Complainant is located and where Complainant applied for and subsequently registered its OAKSIP trademark. Respondent appears to be a professional domainer, who has demonstrated by its email communications in this case that he is able to do research concerning terms and names, including on the USPTO website. The USPTO site confirms that a USPTO trademark application is publicly visible in the Trademark Status and Document Retrieval (“TSDR”) database shortly after filing. See [WIPO Overview 3.1](#), section 4.8 (“it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party’s contention”). Moreover, the term “oaksip” is not one that would find normal usage in the English language. The combined terms, “oak” and “sip” similarly are not a common turn of phrase. Registering the Domain Name three days after Complainant submitted its trademark application could hypothetically be a coincidence. However, the circumstances in this case point in the other direction. Respondent has not explained why it chose this term and has not denied awareness of Complainant and its trademark when registering the Domain Name, when it easily could have done so. Further, a trademark search of the USPTO database would have revealed Complainant’s OAKSIP trademark application, which is currently the only trademark registered for this term in any line of business; it is also noted that there was no requirement of a disclaimer for the mark to register. In accordance with [WIPO Overview 3.1](#), section 3.2.3, panels have repeatedly held that sophisticated or professional domain name registrants – those who register large portfolios of domain names or operate as domain investors – cannot credibly claim ignorance of trademark rights that would reasonably have been discovered through basic searches at the time of registration. (Had the application not been permitted to be registered as a mark because of genericness (or at the very least had a disclaimer been required), that might have given some room to an argument that the Complainant was not being targeted.) Finally, as noted in section 4 above, the Domain Name resolves to a webpage where it is offered for sale, emphasizing the brand power of the name “OakSip” and providing a mock-up logo, which contains the name “OakSip” with the phrase “Smooth Flavor” placed immediately beneath it. This evidence of use is suggestive of targeting Complainant and its OAKSIP mark, especially as Complainant, on the home page of its website at the domain name <oaksip.co>, promotes its wooden whiskey and bourbon glasses as “[c]harred for enhanced flavor & uncharred for flavor preservation.” In addition, the evidence submitted by Complainant points toward the offering price for the Domain Name at least USD 2,925 (and currently listed at USD 4,200) being likely in excess of Respondent’s out-of-pocket costs directly related to registering the Domain Name.

Accordingly, in view of all of the above circumstances, the Panel finds on the balance of the probabilities 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 Domain Name <oaksip.com> be transferred to Complainant.

/Christopher S. Gibson/

Christopher S. Gibson

Sole Panelist

Date: March 14, 2026