

## **ADMINISTRATIVE PANEL DECISION**

Detonate Labels Inc. v. “Joy Empire”

Case No. D2026-0441

### **1. The Parties**

The Complainant is Detonate Labels Inc., Canada, internally represented.

The Respondent is “Joy Empire”, Canada.

### **2. The Domain Name and Registrar**

The disputed domain name <detonatelabels.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 3, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 4, 2026, the Registrar transmitted by email to the Center its verification disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registrant of detonatelabels.com / Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 12, 2026, 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 amendment to the Complaint on February 12, 2026.

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 the Respondent of the Complaint, and the proceedings commenced on February 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 6, 2026.

The Center appointed Christopher J. Pibus as the sole panelist in this matter on March 12, 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.

On March 20 2026, the Panel issued Procedural Order No. 1, inviting the Complainant to provide additional evidence about the claimed common law rights in the name Detonate Labels Inc., and related matters, and inviting the Respondent to provide a response. On March 20 2026, the Complainant filed its Supplemental Submission. The Respondent did not file any form of response.

#### **4. Factual Background**

The Complaint is filed by the named Director of the Complainant using an email address at the corresponding disputed domain name.

The Complainant was formerly registered under the corporate name 1038615 CANADA INC. on September 5, 2017, then changed its corporate name for DETONATE LABELS INC. on December 7, 2020. The Complainant carries on business as a custom label printer, located in Markham, Ontario (Canada), under the name DETONATE LABELS INC. Since December 2020, the Complainant has provided custom labelling services to clients, with a focus on packaging and labelling needs in the field of cannabis products, which are now lawfully sold in Canada. Until recently, the Complainant maintained an active website associated with the disputed domain name, promoting its services to Canadian customers in association with the name DETONATE LABELS INC. The Complainant's management and staff continue to use email addresses associated with the disputed domain name to maintain contacts with customers and suppliers.

On June 22, 2020, the disputed domain name was intended to be registered on behalf of the Complainant by one of its former employees, to host the Complainant's website and to serve as its online portal. The Respondent used the name "Joy Empire" as registrant, which is the name of the Complainant's parent company. The disputed domain name used to display the Complainant's website but at the time the Complaint was filed, it resolved to an error page.

For more than 5 years, the Complainant continuously used the name DETONATE LABELS and DETONATE LABELS INC. as its primary identifier as a source for specialized label and packaging services in the niche field of cannabis products. The Complainant's website has served as the principal point of contact with customers and industry participants over its entire period of operations, and the evidence filed in this matter includes pages from the website which prominently display the DETONATE LABELS name. The Panel has also made an independent review of web pages available through the Wayback Machine service, which confirms consistent use of the name throughout the years. In addition to the website itself, the Complainant's staff all adopted and used email addresses with the format "[name]@detonatelabels.com" for customer communications covering all aspects of the business.

#### **5. Parties' Contentions**

##### **A. Complainant**

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

Notably, the Complainant contends that it has established common law trademark rights in its business name DETONATE LABELS INC. by virtue of its continuous use and promotion in the field of cannabis packaging and labels in the Canadian market. The Respondent is said to have no rights or legitimate interests in the disputed domain name itself because he was supposed to have registered and maintained it in his capacity as an employee and agent of the Complainant for the benefit of the Complainant; the

Respondent used a Hotmail email address and what appears to be a non-existent street address. After termination of his employment the Respondent has refused to return the disputed domain name to its rightful owner, which is compelling evidence of bad faith. The Complainant's website has been deactivated, with a significant negative impact on its ability to communicate with its customer base.

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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.

### **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 3.1](#), section 1.7.

The Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.3. Based on the evidence filed, the Panel finds that the name DETONATE LABELS INC. is inherently distinctive and has been used in commerce, for a significant period of time, as a designation of source.

The unregistered mark is reproduced within the disputed domain name and remains recognizable, even without the final part "inc.". Accordingly, the disputed domain name is confusingly similar 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**

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 that 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.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. It appears that the Respondent was verbally authorized to register and maintain the disputed domain name in his capacity as an employee of the Complainant, but the Complainant's contact information was not used for said registration. See *SAGE Development Authority V. Peter Little Horn*, WIPO Case No. [D2025-3791](#) for a comprehensive review of relevant panel decisions ("the Respondent's status as a former employee does not give the Respondent any current rights or legitimate interest in the disputed domain name."). The Respondent has not rebutted the 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 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.

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, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The Panel notes that the Respondent used the Complainant's parent company name "Joy Empire" when registering the disputed domain name albeit with false contact details (unrelated email address and postal address and phone number).

At the present time, the Panel notes that the Respondent is using its status as registrant in control of the disputed domain name to prevent the Complainant from continuing to operate its business through its customary website as it has done for many years. The Respondent has deactivated the associated website and has refused to return the disputed domain name to its rightful owner. The Complainant understandably objects to the Respondent's interference with the backbone of its "business communication infrastructure." This is a compelling example of bad faith misconduct by a former employee. See *The Glorya Kaufman Dance Foundation v. Carolyn B. Baker & Assoc.*, WIPO Case No. [D2010-0034](#) (threat to "remove the current website"), cited in *SAGE Development Authority, supra*.

The Panel has also considered the issue of whether the Complainant has established bad faith registration, through evidence probative of bad faith as of the date of registration. This can be a difficult task for a complainant to prove as it requires an inquiry into a party's intentions at a moment in time some years prior. In the context of the conduct of a former employee registering a domain name in the name of someone other than the employer, the question can be posed: did the respondent likely have, at the moment of registration, "an ulterior motive inconsistent with his duty of good faith to his employer" (*SAGE Development Authority*, citing *Blemain Group v. Stuart Frost*, WIPO Case No. [D2006-0871](#).)

The Complainant points to a number of facts which are inconsistent with the Respondent's duty of good faith to his employer at the relevant time: 1) the Respondent pretending to be or to represent Joy Empire without authority or permission in the registration process; 2) the failure of the employee to disclose his actual identity or a legitimate point of contact in the registration of the disputed domain name; 3) the failure to disclose or justify to the Complainant the use of the name Joy Empire – as opposed to Detonate Labels – as registrant; 4) the use of false contact information (address) in the registration process; 5) the use of an email address which has no connection to the Complainant or Joy Empire.

The Panel notes the complete failure of the Respondent to answer or explain his conduct by way of reply or even informal communications, when the Complaint raises numerous issues which clearly call for a response.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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

*/Christopher J. Pibus/*

**Christopher J. Pibus**

Sole Panelist

Date: April 3, 2026