ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Harris Associates, L.P. v. Greg Kuperman, TicketKings
Case No. D2026-0593

1. The Parties

Complainant is Harris Associates, L.P., United States of America ("United States"), represented by MIIP – MADE IN IP, France

Respondent is Greg Kuperman, TicketKings, United States.

2. The Domain Name and Registrar

The disputed domain name <oakmark.store> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 12, 2026. On February 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 12, 2026, 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 (Privacy Service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on February 13, 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 February 17, 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 February 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2026. Respondent sent an email communication to the Center on March 11, 2026. The proceedings were suspended upon the Complainant's request between March 13, 2026 and April 21, 2026.

Center appointed Lorelei Ritchie as the sole panelist in this matter on April 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

Complainant is a limited liability corporation based in the United States. For decades prior to the registration of the disputed domain name, Complainant has offered investment management and related services under the mark OAKMARK. Complainant is the owner of several registrations globally for OAKMARK as a word mark and as a composite design mark. These include, among others, United States Registration No. 1995735 (registered August 20, 1996).

The disputed domain name was registered on January 11, 2026. The disputed domain name is not currently linked to an active website. Respondent nevertheless has no affiliation with Complainant, nor any license to use its marks.

5. Parties' Contentions

A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name, and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it has owned rights to OAKMARK for "more than 30 years," with over USD 100 billion in asset management over time. Complainant contends that it enjoys "a wide reputation, at least in the financial sector," resulting in awards including for The Oakmark U.S. Large Cap ETF (OAKM), which is accessible to consumers via Complainant's website located at "www.oakmark.com" (registered October 26, 1995). Complainant asserts that Respondent lacks rights or legitimate interests in the disputed domain name, and rather has registered and is using it in bad faith, presumably for Respondent's own commercial gain, in an attempt to impersonate Complainant and defraud consumers.

B. Respondent

Respondent did not reply to Complainant's contentions, but sent a communication to the Center on March 11, 2026, stating: "We were unaware of any intellectual property issues and agree to forfeit the disputed domain [name]."

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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7. Complainant has shown rights in respect of the OAKMARK mark, for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1. The Panel finds that the OAKMARK mark is incorporated entirely within the disputed domain name.

The Panel therefore finds that the disputed domain name is identical to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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 3.1, section 2.1.

Complainant has established rights to the mark incorporated in the disputed domain name. Respondent has not put forward any claims or evidence that would suggest rights or legitimate interests for the purposes of the Policy. Rather, Respondent agreed to forfeit the disputed domain name. The Panel finds that Complainant has provided sufficient prima facie evidence of Respondent's lack of "rights or legitimate interests" in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

C. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. As noted in Section 4 of this Panel's Decision, the disputed domain name is not currently linked to an active website. It is nevertheless well established that having an inactive website does not necessarily shield a respondent from a finding of bad faith. See WIPO Overview 3.1, section 3.3, which notes that the "non-use of a domain name" would not by itself prevent a finding of bad faith.

Rather, a panel must examine "the totality of the circumstances," including, for example, whether a complainant has a well-known trademark, and whether a respondent conceals his/her identity and/or replies to the complaint. Complainant has established prior rights in the OAKMARK word mark, as well as a degree of renown. See *Harris Associates, L.P. v. Sergey Glukhov*, WIPO Case No. D2025-1571.

Given the apparent distinctiveness and reputation of Complainant's OAKMARK mark, and the composition of the disputed domain name incorporating only this single term, lack of any substantive response or explanation as to its choice of the term from Respondent (who rather offered to "forfeit" the disputed domain name), the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. The Panel finds, on balance, sufficient evidence that Respondent registered and uses the disputed domain name in bad faith for purposes of paragraph (4)(a)(iii) 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 <oakmark.store> be transferred to Complainant.

/Lorelei Ritchie/
Lorelei Ritchie
Sole Panelist
Date: May 12, 2026