

ADMINISTRATIVE PANEL DECISION

Cascade Designs, Inc. v. shuang lin
Case No. D2026-0688

1. The Parties

The Complainant is Cascade Designs, Inc., United States of America (“United States”), represented by Baker Hostetler LLP, United States.

The Respondent is shuang lin, China.

2. The Domain Name and Registrar

The disputed domain name <msrde.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 17, 2026. On February 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 20, 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 (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 23, 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 23, 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 19, 2026.

The Center appointed Torsten Bettinger as the sole panelist in this matter on March 25, 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 states that it is “a well-known company specializing in outdoor recreation products” and one of the most respected brands in the outdoor industry throughout the world. One of Complainant’s respective brands is MSR, through which the Complainant has provided high- quality backcountry gear for over 25 years. The foregoing statements, as well as other factual assertions in the Complaint, are supported by a declaration from Complainant’s Vice President.

The Complainant holds multiple trademark registrations for MSR in key jurisdictions, including the United States, China, the European Union, Canada, and Australia, e.g.

- U.S. Reg. No. 4996019 for MSR (registered July 12, 2016) for use in connection with, goods and services in classes 4, 6, 11, 17, 19, 21, 22 and 26;
- China Reg. No. Reg 3973961 for MSR (device), (registered April. 21, 2006) for use in connection with, goods and services in class 11;
- European Union. Reg. No. 003526506 for MSR (registered February 2, 2007 for use in connection with classes 4, 7, 8, 11, 16, 18, 21 and 22.

The Complainant states that the MSR Marks have been used extensively in marketing and advertising since as early as 1969, that it has invested substantial resources in building their reputation and goodwill and that as a result, the marks are widely recognized by consumers as identifying the Complainant’s products.

The disputed domain name was registered on October 26, 2025. It resolves to a website that displays the Complainant’s products in a manner closely mirroring the Complainant’s official website, and expressly presenting itself as the Complainant’s German branch and claiming to offer products “specifically tailored toward the needs of German outdoor enthusiasts.”

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.

With regard to the requirement of “identity or confusing similarity between the trademark and the domain name” pursuant to paragraph 4(a)(i) of the Policy, the Complainant contends that

- the inclusion of a complainant’s mark in its entirety is sufficient to establish confusing similarity;
- the geographic indicator “DE” and the gTLD “.com”, do not serve to distinguish the disputed domain name and therefore do not prevent a finding of confusing similarity;
- the Respondent’s website reinforces confusion by prominently displaying the MSR Marks, copying the Complainant’s product presentation, and falsely presenting itself as the Complainant’s German branch.

With regard to the Respondent having no rights or legitimate interests in the disputed domain name, the Complainant submitted that,

- the Respondent is not commonly known by the disputed domain name

- the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. Instead, the Respondent operates a website that prominently displays the Complainant's marks, imitates the Complainant's official website, and falsely presents itself as the Complainant's German branch, thereby seeking to mislead consumers and capitalize on the Complainant's goodwill;
- the Respondent's use of the disputed domain name to create a false impression of association does not constitute a legitimate noncommercial or fair use.

Finally, with regard to the disputed domain name having been registered and being used in bad faith, the Complainant argues that,

- the Respondent had at least constructive, and in fact actual, knowledge of the Complainant's MSR Marks at the time of registration;
- the Respondent deliberately selected a domain name incorporating the MSR Marks together with the geographic indicator "DE," targeting German consumers, and reinforced this targeting by prominently displaying the Complainant's marks, product images, and references to an "official website" on the associated website;
- the Respondent's conduct demonstrates an intent to trade on its goodwill and to attract Internet users for commercial gain by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement within the meaning of paragraph 4(b)(iv) of the Policy;
- the Respondent is disrupting its business under paragraph 4(b)(iii) of the Policy by falsely presenting itself as the Complainant's German branch ("MSR Deutschland"),
- Respondent's use of a privacy or proxy service to conceal its identity, when considered together with the overall circumstances of the case, supports an inference of bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy states that the Complainant must prove each of the three following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel notes that the disputed domain name <msrde.com> incorporates the Complainant's trademark MSR in its entirety and is clearly recognizable within the disputed domain name. The addition of the geographic term "DE," which is commonly understood as referring to Germany.

It is well established that the addition of descriptive or other non-distinctive terms to a complainant's trademark does not avoid confusing similarity where the trademark remains recognizable within the domain name (see [WIPO Overview 3.0](#), section 1.8).

Furthermore, it is established under the Policy that the generic Top-Level Domain “.com” is disregarded for the purposes of the comparison, as it is a standard registration requirement (see [WIPO Overview 3.0](#), section 1.11.1).

Accordingly, the Panel concludes that the disputed domain name is confusingly similar to the Complainant’s MSR trademark and that the first element of paragraph 4(a) of the Policy is satisfied.

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 Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant has not authorized the Respondent to use its MSR trademark, nor to register a domain name incorporating that mark. There is no evidence in the record that the Respondent has been commonly known by the disputed domain name, or that it has acquired any trademark or service mark rights corresponding to it.

Nor is there any evidence that the Respondent is using, or has made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy.

To the contrary, the Respondent’s website prominently displays the Complainant’s marks, imitates the Complainant’s official website, and presents itself as an official German branch of the Complainant, thereby creating a misleading impression of affiliation. Such use does not constitute a bona fide offering of goods or services.

Accordingly, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

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.

1. Bad Faith Registration

The Panel is satisfied that the Respondent had knowledge of the Complainant’s MSR Marks at the time of registration. The Disputed Domain Name incorporates the Complainant’s mark in its entirety together with the geographic term “DE,” indicating a deliberate targeting of the German market. This is reinforced by the content of the Respondent’s website, which prominently displays the Complainant’s marks, reproduces its

product presentation, and presents itself as an official German branch of the Complainant. The Panel considers that such conduct cannot credibly be explained as coincidental and demonstrates that the Respondent intentionally targeted the Complainant.

2. Bad Faith Use

The Panel further finds that the Respondent has used the disputed domain name to attract Internet users by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website. This constitutes evidence of bad faith under paragraph 4(b)(iv) of the Policy.

In addition, by falsely presenting itself as the Complainant's German operation, the Respondent has engaged in conduct that disrupts the Complainant's business within the meaning of paragraph 4(b)(iii) of the Policy.

The Panel also notes that the Respondent has concealed its identity through a privacy service. While not conclusive on its own, in the circumstances of this case this factor further supports an inference of bad faith.

Accordingly, the Panel concludes that the Disputed Domain Name was registered and is being used in bad faith within the meaning 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 <msrde.com> be transferred to the Complainant.

/Torsten Bettinger/

Torsten Bettinger

Sole Panelist

Date: April 8, 2026