

ADMINISTRATIVE PANEL DECISION

Jack Daniel's Properties, Inc. v. Van Trung
Case No. D2026-0729

1. The Parties

The Complainant is Jack Daniel's Properties, Inc., United States of America ("United States"), represented by Elzaburu SLP, Spain.

The Respondent is Van Trung, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <jackdanielsbar.shop> 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 20, 2026. On February 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 23, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 25, 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 27, 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 March 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 30, 2026.

The Center appointed Assen Alexiev as the sole panelist in this matter on April 2, 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 Complainant is a distillery, founded by Jasper Newton “Jack” Daniel in 1866 in the United States. The Complainant produces the JACK DANIEL’S whiskey, which is sold in more than 165 countries.

The Complainant is the owner of a number of trademark registrations for JACK DANIEL’S (the “JACK DANIEL’S trademark”), including the following representative registrations:

– the United States trademark  (combined) with registration No. 582789, registered on November 24, 1953, for goods in International Class 33;

- the Spanish trademark  (combined) with registration No. M0996042, registered on October 20, 1982, for goods in International Class 33;

– the European Union trademark JACK DANIEL’S (word) with registration No. 000154211, registered on September 29, 1998, for goods in International Classes 32 and 33; and



– the European Union trademark (combined) with registration No. 009043886, registered on October 12, 2010, for goods in International Class 33.

The JACK DANIEL’S trademark was ranked at No.85 in the Interbrand’s ranking of the 100 most valuable brands in the world in 2022 and 2023.

The disputed domain name was registered on September 9, 2025. It resolves to an English language website with the title “Jack Daniel’s Bar: Experience Delicious BBQ and Burgers in Costa Tegui”. The website features a bar called Jack Daniel’s Bar, located in Las Palmas de Gran Canaria, Spain, and displays photos from the bar, including the following:



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.

The Complainant states that the disputed domain name is confusingly similar to its JACK DANIEL'S trademark, because the trademark is its most prominent and distinctive element, and the only addition is the dictionary word "bar", a term in both Spanish and English that refers to a hospitality establishment where drinks and food are served. The Complainant submits that the addition of the element "bar" to the JACK DANIEL'S trademark in the disputed domain name increases the likelihood of confusion, as it is directly related to the offering of beverages, the sector where the Complainant has an established reputation. According to the Complainant, Internet users are likely to mistakenly assume that the venue named "Jack Daniel's Bar" is officially affiliated with the Complainant.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it has not been authorised by the Complainant to use the JACK DANIEL'S trademark and is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain. The Complainant maintains that the Respondent uses the disputed domain name for commercial purposes - to advertise a bar called Jack Daniel's Bar, located in Spain, and the website at the disputed domain name displays photos that show the JACK DANIEL'S trademark and the Jack Daniel's bottle.

The Complainant notes that, before filing of the Complaint, it communicated with the owner of the bar featured on the website at the disputed domain name, and the owner agreed to change the name of the bar and to remove the photos of the Jack Daniel's bottle from it. The owner of the establishment also confirmed in writing that he was not the owner or registrant of the disputed domain name. The Complainant adds that on December 3, 2025, it sent the Respondent a warning letter via the email and a reminder on December 17, 2025, but the Respondent did not reply.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to it, the Respondent's intention in registering the disputed domain name must have been to attract Internet users searching for Jack Daniel's drinks to the website at the disputed domain name, in order to promote a bar located in Las Palmas which was themed around the image of Jack Daniel's and draw visitors to this establishment, by creating an impression that it is related to the Complainant and its JACK DANIEL'S trademark.

B. Respondent

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

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 the 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.

The Complainant has shown rights in respect of the JACK DANIEL'S trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the JACK DANIEL'S trademark is recognisable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the JACK DANIEL'S trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "bar") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests and Bad Faith

As noted in section 2.15 of the [WIPO Overview 3.1](#), in some cases panels assess the second and third UDRP elements together, for example where clear indicia of bad faith suggest there cannot be any respondent rights or legitimate interests. In such cases, panels have found that the facts and circumstances of the case would benefit from a joint discussion of the policy elements. The Panel considers this to be so here.

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 recognised 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. 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 disputed domain name is confusingly similar to the Complainant's long-established and widely used JACK DANIEL'S trademark, and has been used for a website that promotes a "Jack Daniel's Bar" in a location in Spain. The website includes photos from the bar which show that the JACK DANIEL'S trademark and variations of it are prominently displayed on different signs in and around the bar and on its menu, which is themed around the trademark by including offerings such as "Jack Daniels Ribeye Steak", "Jack Daniels BBQ Ribs", and "Jack Daniels Burger", without having any authorisation by the Complainant. Such use of the disputed domain name misleads Internet users that the disputed domain name, the associated website and the bar promoted on it have been endorsed by the Complainant. This scheme unfairly exploits the goodwill of the Complainant's trademark for commercial gain. Such conduct cannot give rise to rights or legitimate interests of the Respondent in the disputed domain name and supports a finding of bad faith registration and use of the disputed domain name under Paragraph 4(b)(iv) of the Policy.

This conclusion is not affected by the fact that the owner of the bar featured on the associated website denies any involvement with the registration and use of the disputed domain name. If one asks the proverbial question “Cui bono?”,¹ it is clear that the owner of the bar is the only person who may have benefited from the conduct discussed above.

The Panel therefore finds that the second and the third elements of the Policy have been established.

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 <jackdanielsbar.shop> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: April 8, 2026

¹ A Latin phrase meaning “Who has the benefit?”, which is attributed to Cicero.