ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Coats & Clark Inc. v. whatdo youmeme
Case No. D2026-1055

1. The Parties

The Complainant is Coats & Clark Inc., United States of America ("U.S." or "United States"), represented by Gowling WLG (Canada) LLP, Canada.

The Respondent is whatdo youmeme, China.

2. The Domain Name and Registrar

The disputed domain name <redheartofficial.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 March 11, 2026. On March 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 14, 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 (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 16, 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 amended Complaint on March 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 the Respondent of the Complaint, and the proceedings commenced on March 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 9, 2026.

The Center appointed Alexander Duisberg as the sole panelist in this matter on April 16, 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, Coats & Clark Inc., is a United States company that develops, manufactures, and markets craft knitting yarns, consumer sewing threads, and other craft-related products. The Complainant's RED HEART brand of yarn traces its history back to 1936 and has become a well known brand in the craft yarn industry. In 2019, the North American Coats & Clark crafts business was acquired by Spinrite Inc. As a result of the acquisition, the Complainant's earlier domain name <redheart.com>, in use since at least 2008, now redirects to the online store at "www.yarnspirations.com" through which the Complainant promotes and sells its RED HEART products.

The Complainant is the owner of numerous trademark registrations in various jurisdictions around the world including:

- Canadian Trade Mark Registration No. TMA107361 for RED HEART, registered on July 19, 1957, with use in Canada since at least June 1957
- Canadian Trade Mark Registration No. TMA1047000 for RED HEART (figurative mark), registered on August 6, 2019
- U.S. Trademark Registration No. 1,315,907 for RED HEART, registered on January 22, 1985, with first use in commerce since October 17, 1977
- U.S. Trademark Registration No. 5,367,014 for RED HEART, registered on January 2, 2018, with a priority date of June 27, 2016

In addition to the trademarks specifically relied upon, the Complainant owns a portfolio of 149 registered trademarks containing or consisting of the term "red heart" in numerous jurisdictions around the world.

The disputed domain name <redheartofficial.com> was registered on January 7, 2026.

According to the uncontested evidence submitted by the Complainant the disputed domain name resolved to a website which displayed the Complainant's RED HEART trademarks and logos, featured images of yarn products with pricing, and referenced the Complainant's RED HEART sub-brands (including "Red Heart Bitty Stripes", "Red Heart Flower Power Yarn", "Red Heart Scrubby Yarn", "Red Heart With Love Yarn", "Red Heart Ombre Yarn" and "Red Heart Soft Yarn Colors"). The website included a contact form soliciting visitors' full names and email addresses, which did not direct to the Complainant. The website listed a mailing address in Melbourne, Victoria, Australia, which is not the Complainant's address. The website included an "About Us" page describing the RED HEART brand. The website contained links redirecting to "www.amazon.com" search results for "Red Heart" with an affiliate tag (redheartofficial-20).

According to a domain status verification conducted by the Center, the disputed domain name returned to a 503 Service Unavailable response at the date of formal notification of the Respondent (March 18, 2026),

At the time of this Decision, the disputed domain name redirects to the website "www.redheartes.com".

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 owns enforceable rights in the RED HEART trademarks, with the earliest Canadian registration dating back to 1957. The disputed domain name incorporates the entirety of the RED HEART trademark. The Complainant submits that the addition of the term "official" does not prevent a finding of confusing similarity but rather reinforces the impression of an official connection to the Complainant. The Complainant further submits that the RED HEART trademark is well-known in Canada and the United States.

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not licensed or otherwise authorized the Respondent to use the RED HEART trademarks. The Complainant submits that the Respondent's use of the disputed domain name to funnel Internet traffic to a website masquerading as the Complainant does not constitute a bona fide offering of goods or services. The Complainant further notes that the Respondent registered the domain name using a privacy service and is not commonly known by the disputed domain name. The Complainant argues that the Respondent's activities are manifestly commercial in nature, and the primary purpose of the website is to collect personal information from visitors seeking the Complainant's RED HEART products.

The Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. The Complainant submits that the Respondent registered the disputed domain name to disrupt the Complainant's business and to exploit the goodwill in the RED HEART trademarks for commercial gain. The Complainant contends that the Respondent used the disputed domain name to attract Internet users by creating confusion with the Complainant's trademarks and to operate a phishing scheme to collect personal information. The Complainant further argues that the use of a privacy service to register the disputed domain name demonstrates bad faith and an intention to prevent enforcement of the Complainant's trademark rights. The Complainant submits that it is inconceivable that the Respondent registered the disputed domain name without knowledge of the RED HEART trademarks.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

(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.

The Panel acknowledges the consensus view that the Respondent's default to respond to the Complaint does not automatically result in a decision in favor of the Complainant. WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1"), section 4.3.

Although the Panel may draw appropriate inferences from the Respondent's default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in the UDRP proceeding.

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 Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms here, "official" 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.

In particular under the third element of the Policy, it is pertinent to note that the addition of the term "official" may in fact reinforce the misleading impression that the disputed domain name directs to an official website of the Complainant's RED HEART brand. Internet users would logically believe that the disputed domain name refers to an official website of the Complainant when that is not the case.

Panels have confirmed in numerous decisions that a disputed domain name is confusingly similar to a complainant's trademark where the disputed domain name incorporates the complainant's trademark in its entirety (see *Ansell Healthcare Products Inc. v. Australian Therapeutics Supplies Pty, Ltd.*, WIPO Case No. D2001-0110; *eBay Inc. v. ebayMoving / Izik Apo*, WIPO Case No. D2006-1307; *Compagnie Générale des Etablissements Michelin v. Christian Viola*, WIPO Case No. D2012-2102; *The Chancellor, Masters and Scholars of the University of Oxford v. Oxford College for PhD Studies*, WIPO Case No. D2015-0812; *Banca Mediolanum S.p.A. v. Domains By Proxy, LLC / Marzia Chiarello,* WIPO Case No. D2020-1955; *Skyscanner Limited v. Host Master, Transure Enterprise Ltd*, WIPO Case No. D2021-1948; *Skyscanner Limited v. Wei Meng Chan*, WIPO Case No. D2023-1073; *Aldo Group International GmbH v. Zhang Qiang*, WIPO Case No. D2024-1311); *WhatsApp LLC v. Muhammad Taimoor*, WIPO Case No. D2025-4211; *Swedish Match North Europe AB, Philip Morris International, Inc v. durant Kevin, Host Master, Njalla Okta LLC*, WIPO Case No. D2026-0081).

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 (see *Skipton Building Society v. skiptonassetmanagement.com, Private Registration*, WIPO Case No. D2011-0222; *Wal-Mart Stores, Inc. v. WalMart Careers, Inc.*, WIPO Case No. D2012-0285; *B-Boy TV Ltd v.*

bboytv.com c/o Whois Privacy Service / Chief Rocka LTD, formerly named BreakStation LTD., WIPO Case No. D2012-2006; *OSRAM GmbH. v. Mohammed Rafi/Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org*, WIPO Case No. D2015-1149; *Streamotion Pty Ltd v. Ovi Khan*, WIPO Case No. D2022-3784; *Canva Pty Ltd v. JOSE VALDIR DE LIMA*, WIPO Case No. D2023-1736; *Evolution AB v. tom scholes,* WIPO Case No. D2023-2030; *WhatsApp LLC v. Muhammad Taimoor*, WIPO Case No. D2025-4211; *Swedish Match North Europe AB, Philip Morris International, Inc v. durant Kevin, Host Master, Njalla Okta LLC*, WIPO Case No. D2026-0081).

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 Panel finds that the disputed domain name carries a risk of implied affiliation with the Complainant. The Respondent created the disputed domain name by combining the Complainant's "RED HEART" trademark with the term "official", thereby suggesting that the website is an official or authorized sub-division or otherwise affiliated with the Complainant in relation to yarn products. The disputed domain name resolved to a website purporting to be an official online presence of the Complainant by using the Complainant's RED HEART trademark, logos, and official product images without authorization, and including an "About Us" page describing the RED HEART brand. The Respondent's website does not disclose its (lack of) relationship with the Complainant. This implies to Internet users interested in the Complainant's yarn products that the website is an official website from RED HEART, whereas the Respondent does nothing to distinguish the disputed domain name from the Complainant's trademark. The website further included a contact form soliciting personal information without any connection to the Complainant, and links to "www.amazon.com" for RED HEART products.

The Panel notes that the Respondent does not own any rights in any trademark which comprises part or all of the disputed domain name and that the Respondent is not commonly known by the disputed domain name. The Complainant has not given its consent for the Respondent to use its registered RED HEART trademark in a domain name registration.

Panels have held that the use of a domain name for illegitimate activity, here, claimed copycat sites and passing off,, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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.

Panels have held that the use of a domain name to operate a copycat website impersonating a complainant's official online presence constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy (see *Hachette Filipacchi Presse v. archit kumar*, WIPO Case No. D2025-4087; *Besins Manufacturing Belgium S.A. v. MaroonX Technologies*, WIPO Case No. D2025-0692; *Natixis v. Nicole Laboissiere, NATIXIS COFICINE*, WIPO Case No. D2024-5310; *Alimak Group Management AB v. Michael John*, WIPO Case No. D2025-0486; *Keller Group plc v. Hoskins Felicia*, WIPO Case No. D2025-1452).

In the present case, the Panel notes that the Respondent registered and used the disputed domain name to intentionally attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's RED HEART trademark and the Correspondent's websites built on that trademark. Based on the uncontested evidence submitted by the Complainant, the Respondent operated an unauthorised website

that displayed elements directly copied from the Complainant's official online presence, including the Complainant's RED HEART trademark, logos, and official product images, and an "About Us" page describing the RED HEART brand. The website did not disclose the Respondent's (lack of) relationship with the Complainant. The website contained links redirecting to "www.amazon.com" search results for "Red Heart" yarn products with an affiliate tag ("redheartofficial-20"), demonstrating the Respondent's intention to generate revenue from Internet users seeking the Complainant's products. The website further included a contact form soliciting personal information without any connection to the Complainant.

UDRP decisions have held that the use of false contact information in connection with a domain name registration is incompatible with a claim of good faith registration or use (see *Headquarters 4 Sports, Inc. v. jian guizhen*, WIPO Case No. D2025-1767; *The Frankie Shop Inc. v. su ke*, WIPO Case No. D2025-2741; *Cochlear Limited v. Wayne Jackson*, WIPO Case No. D2025-4624).

The Respondent registered the disputed domain name using a privacy service (Dynadot Privacy Service). The website listed a mailing address in Melbourne, Victoria, Australia, which is not the Complainant's address, and an email address which is not the Complainant's email address. This behaviour is incompatible with a claim of good faith registration or use. The use of false contact information is a strong indicator that the Respondent itself recognizes the illegitimacy of its activities and wishes to avoid being identified or contacted.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed copycat sites and passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Panels have confirmed in a variety of UDRP decisions that where a complainant's trademark registrations significantly predate the registration of a disputed domain name and the mark is well-known, the mere registration of a confusingly similar domain name by an unaffiliated entity can by itself create a presumption of bad faith, as there is no other plausible reason for such registration, and the respondent must be deemed to be trading on the goodwill of the complainant's mark (see *International Business Machines Corporation (IBM) v. Zachary Silva, Catenact.io*, WIPO Case No. D2025-1941; *International Business Machines Corporation (IBM) v. Tyler Dikman*, WIPO Case No. D2025-2376; *Mercado Libre, Inc., Mercado Libre, S.R.L. et al. v. Ruslan Kovalenko*, WIPO Case No. D2025-0045; *Screening Eagle Technologies AG v. Reema Walker*, WIPO Case No. D2025-1052).

The Complainant's registrations of the RED HEART trademark predate the Respondent's registration of the disputed domain name, with the earliest Canadian registration dating back to 1957. Based on the uncontested evidence submitted by the Complainant, the Respondent does not own any rights in any trademarks which comprise part or all of the disputed domain name and the Respondent is not commonly known by the disputed domain name. The Complainant has not given its consent for the Respondent to use its registered RED HEART trademark in a domain name registration. The Panel finds that the Respondent was, or should have been, aware of the Complainant's RED HEART trademark at the time of registration. It has been proven to the Panel's satisfaction that the Complainant's RED HEART trademark is known and unique to the Complainant. Thus, the Respondent could not reasonably ignore the reputation of goods or services offered under this trademark. Therefore, the Panel finds that the Respondent registered the disputed domain name with the expectation of taking advantage of the reputation of the RED HEART trademark.

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 <redheartofficial.com> be transferred to the Complainant.

/Alexander Duisberg/
Alexander Duisberg
Sole Panelist
Date: April 28, 2026