

ADMINISTRATIVE PANEL DECISION

Build-A-Bear Workshop, Inc. v. no lar frank
Case No. D2026-1070

1. The Parties

The Complainant is Build-A-Bear Workshop, Inc., United States of America (“US”), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is no lar frank, Philippines.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 12, 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 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 (“User #2be95b36 Privacy, See PrivacyGuardian.org”) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 13, 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 16, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 9, 2026.

The Center appointed Saisunder Nedungal Vidhya Bhaskar as the sole panelist in this matter on April 15, 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

Build-A-Bear Workshop, Inc. is a global company that offers a teddy-bear themed retail-entertainment experience. Founded by Maxine Clark, Build-A-Bear opened its first store in 1997 at Saint Louis Galleria, a shopping mall in St. Louis, Missouri. The Complainant and its wholly owned subsidiary, Build-A-Bear Retail Management, Inc., are collectively referred to herein as “Build-A-Bear” or the “Complainant”. Through its stores' interactive bear-making stations, the Complainant offers children and adults alike the opportunity to create personalized stuffed animals.

The Complainant reported revenues of USD 496 million in Fiscal Year 2024 and is regarded as the #1 North American toy retailer. As of August 2025, the Complainant maintained 368 retail store locations, primarily in major malls, throughout the United States, Canada (“CA”), the United Kingdom (“UK”) and Ireland, with franchise locations in the European Union (“EU”), Asia, Australia, Africa and the Middle East.

The Complainant claims to maintain a strong Internet and retail presence through its primary website “www.buildabear.com”, registered on March 13, 1997. The Complainant owns more than 200 domain names containing the term “build a bear”. The Complainant also claims to maintain a significant social media presence with 2.8 million followers on Facebook, 736,000 followers on Instagram, and 101,000 followers on X (formerly Twitter).

The Complainant's Trademarks

The Complainant is the owner of multiple trademark registrations for BUILD-A-BEAR across various jurisdictions. The trademarks relevant to this proceeding are as follows:

Trademark	Jurisdiction	Registration Number	Registration Date	Class(es)
BUILD-A-BEAR	EU	004872479	October 10, 2007	28, 35
BUILD-A-BEAR	UK	UK00904872479	October 10, 2007	28, 35
BUILD-A-BEAR	CA	TMA712817	April 25 ,2008	28, 35, 41
BUILD-A-BEAR	US	3741249	January 19, 2010	35

The Disputed Domain Name

The disputed domain name <buildabearsale.com> was registered on February 2, 2026, which is nearly three decades after the Complainant's first use of the BUILD-A-BEAR mark in commerce in 1997, and more than fifteen years after the Complainant's earliest trademark registration.

Prior to a takedown request made by the Complainant's representatives, the disputed domain name resolved to a website featuring the Complainant's logo and purporting to offer the Complainant's products for sale. Following the takedown, the disputed domain name currently resolves to an inactive page with the DNS address unable to be found.

The Respondent

The Respondent is identified as “no lar frank” with a listed address at Makati, Manila, Philippines.

The Respondent has been involved in five prior UDRP proceedings as evidenced by the Complainant:

- *Valentino S.p.A. v. lar frank, no*, WIPO Case No. [D2026-0169](#) (March 4, 2026);
- *International Business Machines Corporation v. aaa aa and no lar frank*, WIPO Case No. [D2025-4558](#) (January 1, 2026);
- *Huda Beauty Limited v. no lar frank*, WIPO Case No. [D2025-4181](#) (November 26, 2025);
- *Buck Mason, Inc. v. no, lar frank*, WIPO Case No. [D2025-3635](#) (October 21, 2025); and
- *L'Oréal v. no, lar frank*, WIPO Case No. [D2025-0476](#) (April 4, 2025).

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 respect to the first element, the Complainant submits that it is the registered owner of the BUILD-A-BEAR trademark across multiple jurisdictions. The Complainant further argues that the disputed domain name is confusingly similar to its BUILD-A-BEAR mark, as the Respondent has incorporated the entirety of the Complainant's trademark into the disputed domain name, with the mere addition of the generic and descriptive term "sale" – a term closely associated with the Complainant's own commercial activities. The Complainant further contends that the removal of hyphens from the mark does not diminish the confusing similarity, and that the Respondent's prior use of the disputed domain name – hosting a website that featured the Complainant's logo and offered the Complainant's products – itself confirms the Respondent's intent to create such confusion.

With respect to the second element, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not authorized the Respondent to use its BUILD-A-BEAR trademark in any manner, including in domain names. The Respondent is not commonly known by the disputed domain name; the WhoIs record identifies the Respondent as "no lar frank", which bears no resemblance to the disputed domain name. The Complainant further submits that the Respondent's prior use of the disputed domain name – imitating the Complainant's official website by displaying the Complainant's logo and purporting to sell the Complainant's products without authorization – constitutes passing off and cannot amount to a bona fide offering of goods or services.

With respect to the third element, the Complainant contends that the Respondent registered and is using the disputed domain name in bad faith. Given the global fame of the BUILD-A-BEAR brand since 1997, it is inconceivable that the Respondent was unaware of the Complainant's mark at the time of registration of the disputed domain name on February 2, 2026. The Respondent's prior use of the disputed domain name to host a website displaying the Complainant's logo while offering the Complainant's products for sale constitutes bad faith under paragraph 4(b)(iv) of the Policy, as it intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark. The Respondent's pattern of prior cybersquatting conduct across multiple UDRP proceedings also evidences bad faith registration and use.

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 demonstrated rights in the "BUILD-A-BEAR" trademark through multiple national and regional trademark registrations for the purposes of the Policy. Where the Complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case. [WIPO Overview 3.1](#), section 1.2.1. The Panel finds the Complainant has shown rights in respect of the BUILD-A-BEAR trademark for the purposes of the Policy.

The disputed domain name <buildabearsale.com> reproduces the entirety of the Complainant's BUILD-A-BEAR trademark, with the addition of the term "sale" and the omission of the hyphens. Panels have consistently held that where the relevant trademark is recognizable within the disputed domain name, the addition of other terms – whether descriptive, geographical, pejorative, meaningless, or otherwise – would not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.8. Regarding the removal of hyphens, panels have confirmed that the use or absence of punctuation marks such as hyphens does not alter the fact that a domain name is identical or similar to a mark. See *Chernow Communications, Inc. v. Kimball*, WIPO Case No. [D2000-0119](#) (May 18, 2000). The applicable Top Level Domain (".com") is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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.

The Panel finds that 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, licensed, or otherwise permitted the Respondent to use its BUILD-A-BEAR trademark in any manner, including in domain names. There is no evidence that the Respondent has been commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy. See *World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe*, WIPO Case No. [D2008-0642](#) (June 6, 2008).

Prior to the Complainant's representatives requesting a takedown, the Respondent used the disputed domain name to resolve to a website that featured the Complainant's BUILD-A-BEAR logo and purported to offer the Complainant's products for sale. Such conduct – the unauthorized reproduction of a trademark owner's logo in connection with a domain name that incorporates the trademark – constitutes passing off and

does not amount to a bona fide offering of goods or services pursuant to paragraph 4(c)(i) of the Policy, nor does it constitute a legitimate noncommercial or fair use pursuant to paragraph 4(c)(iii) of the Policy. See *Houghton Mifflin Co. v. Weatherman, Inc.*, WIPO Case No. [D2001-0211](#) (April 25, 2001). Panels have further held that the use of a domain name for such passing off activity can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Following the takedown, the disputed domain name currently resolves to an inactive blank page.. The Respondent has not come forward with any evidence or explanation demonstrating rights or legitimate interests, and has not rebutted the Complainant's prima facie showing.

Additionally, the Panel notes that the Respondent registered the disputed domain name on February 2, 2026, well after the Complainant's first use of its BUILD-A-BEAR mark in commerce in 1997 and after its various trademark registrations. By the time of registration, the Complainant's mark had established a worldwide reputation. The disputed domain name therefore carries a risk of implied affiliation with the Complainant, which cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1.

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.

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. The Panel finds there is compelling evidence of bad faith registration and use in the present case, grounded in several overlapping and mutually reinforcing considerations.

First, the Complainant's BUILD-A-BEAR mark has been in continuous use since 1997 and enjoys global recognition, including trademark registrations across various jurisdictions. The disputed domain name was registered on February 2, 2026 – nearly three decades after the Complainant's first use of the mark in commerce. Given the widespread fame of the BUILD-A-BEAR brand, the Respondent could not plausibly have been unaware of the Complainant's mark at the time of registration. In the Panel's view, it is “not possible to conceive of a plausible situation in which the Respondent would have been unaware of” the Complainant's brand at the time the disputed domain name was registered. See *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) (February 18, 2000). The incorporation of the entirety of the Complainant's mark together with the closely associated term “sale” further reinforces the inference of targeting.

Second, prior to the takedown request, the Respondent actively used the disputed domain name to host a website displaying the Complainant's BUILD-A-BEAR logo while purporting to sell the Complainant's products without authorization. This conduct constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy, as the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. See *World Wrestling Fed'n Entertainment, Inc. v. Ringside Collectibles*, WIPO Case No. [D2000-1306](#) (January 24, 2001). The Respondent's unauthorized use of the Complainant's logo to impersonate an official Build-A-Bear website is a paradigmatic example of bad faith use.

Third, the Respondent's prior use of the disputed domain name to offer the Complainant's goods without authorization also constitutes a disruption of the Complainant's business under paragraph 4(b)(iii) of the Policy. See *Philipp Plein v. Domain Admin, Whois Privacy Corp.*, WIPO Case No. [D2016-1519](#) (September 12, 2016).

Fourth, given the distinctiveness and worldwide reputation of the BUILD-A-BEAR mark, the Respondent's wholesale adoption of the mark in the disputed domain name, and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, the Panel finds that the passive holding of the disputed domain name following the takedown does not prevent a finding of bad faith. See [WIPO Overview 3.1](#), section 3.3 and *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) (February 18, 2000).

Fifth, the evidence before the Panel establishes a pattern of bad faith conduct on the part of the Respondent. The Respondent has been the subject of at least five prior UDRP proceedings before WIPO, all involving well-known brands, and filed in the period October 2025 to March 2026. This pattern of registering domain names incorporating the trademarks of well-known brands is consistent with a finding of bad faith under paragraph 4(b)(ii) of the Policy and reinforces the conclusion that the Respondent is a serial cybersquatter. See *BHP Billiton Innovation Pty Ltd v. Cameron David Jackson*, WIPO Case No. [D2016-2020](#) (November 21, 2016).

The Panel finds the third element of the Policy has 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 <buildabearsale.com> be transferred to the Complainant.

/Saisunder Nedungal Vidhya Bhaskar/
Saisunder Nedungal Vidhya Bhaskar
Sole Panelist
Date: April 28, 2026