

ADMINISTRATIVE PANEL DECISION

Boot Barn, Inc. v. bu hui
Case No. D2026-1108

1. The Parties

The Complainant is Boot Barn, Inc., United States of America, represented by Suisun Law, United States ("United States").

The Respondent is bu hui, China.

2. The Domain Name and Registrar

The disputed domain name <rank-45.com> is registered with Name.com, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 13, 2026. On March 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 17, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 18, 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 20, 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 14, 2026.

The Center appointed Ada L. Redondo Aguilera as the sole panelist in this matter on April 21, 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 Boot Barn, Inc., a corporation registered and operated in the United States since 2007. Starting out as a single store in 1978, Boot Barn has since become the largest western and workwear retailer in the United States, offering a broad selection of cowboy boots, work boots, western wear, workwear, western-inspired fashion, and outdoor gear. The Complainant launched the Boot Barn's website at the domain name <bootbarn.com> in 1996.

The Complainant is the owner of the trademark RANK 45 and presented as evidence of the registration the title of a trademark issued by the United States Patent and Trademark Office that certifies that the trademark was registered on September 19, 2023 and first used in commerce in 2022, with registration number 7,170,592.

The disputed domain name was registered on June 14, 2024.

The evidence shows that the disputed domain name resolves to a website that offers clothing and footwear products, prominently displaying the RANK 45 mark, including use of the ® symbol, and reproducing images apparently taken from the Complainant's official website. The website is designed to give the impression of being affiliated with or operated by the Complainant.

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 the disputed domain name is confusingly similar to its RANK 45 trademark since it includes the Complainant's trademark in its entirety, differing from the Complainant's trademark and domain name only by the hyphen "-". Also, the Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name, and that the Respondent registered and uses the disputed domain name in bad faith. The Complainant requests the transfer of the disputed domain name.

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 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.

The disputed domain name incorporates the Complainant's RANK 45 mark in its entirety, merely inserting a hyphen between the elements "rank" and "45". The Panel notes that such minor punctuation does not prevent the finding of confusing similarity under the Policy. As reflected in section 1.7 of the [WIPO Overview 3.1](#), the incorporation of a complainant's mark in its entirety is normally sufficient to establish confusing similarities.

The generic Top-Level Domain ("gTLD") ".com" is disregarded for purposes of this comparison. [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 entail the difficult task of "proving a negative", requiring information that is often primarily within the respondent's knowledge or control. 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 with 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.

As reflected in section 2.1 of the [WIPO Overview 3.1](#), once a complainant establishes such a prima facie case, the burden of production shifts to the Respondent.

In the present case, the Panel finds that the Complainant has established a prima facie case. In particular:

The Respondent is not affiliated with, nor authorized by, the Complainant to use the RANK 45 mark and that the Respondent does not hold any trademark rights in RANK 45. There is no evidence that the Respondent is commonly known by the name RANK 45 or by the disputed domain name ([WIPO Overview 3.1](#), section 2.3); and that the disputed domain name displayed to a website which appear to be offering clothing and footwear, reproducing images associated with the Complainant, and prominently using the RANK 45 mark, including with a registered trademark symbol, thereby creating a false impression of affiliation.

The Panel considers that such use is misleading and constitute impersonation of the Complainant and therefore it does not constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy. Rather, it reflects an attempt to pass off as the Complainant.

Panels have held that the use of a domain name for illegitimate activity or illegal activity here, claimed as applicable to this case: sale of counterfeit goods or copycat sites, passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Based on the evidence on record, including screenshots submitted by the Complainant, the website prominently reproduces the Complainant's RANK 45 mark, adopts a similar visual presentation, and displays product images identical or highly similar to those used on the Complainant's official website. This supports a finding that the Respondent is impersonating the Complainant.

In the absence of any Response, the Respondent has failed to rebut the Complainant's prima facie case.

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

C. Registered and Used in Bad Faith

The Panel notes that, for 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.

In the present case, the Panel finds that the disputed domain name was registered and is being used in bad faith. The Panel notes that the Complainant's RANK 45 trademark predates the registration of the disputed domain name. In light on the Respondent's use of the disputed domain name which incorporates the Complainant's trademark in its entirety and resolves to a website reproducing the Complainant trademark, product images, and overall commercial presentation the Panel finds it implausible that the Respondent was unaware of the Complainant and its mark at the time of registration of the disputed domain name ([WIPO Overview 3.1](#), section 3.2.2).

The Panel considers this to be a clear case of impersonation and passing off. As reflected in section 3.1.4 of the [WIPO Overview 3.1](#), such conduct constitutes evidence of bad faith. The deliberate production of Complainant's mark, product imagery leaves no plausible explanation other than an intent to deceive Internet users.

This conduct falls squarely within paragraph 4(b)(iv) of the Policy, as the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark.

The Respondent's use of the disputed domain name is particularly indicative of bad faith. The disputed domain name resolves to a website that prominently display the Complainant's trademark, including the ® symbol; reproduce images apparently taken from the Complainant's official website; and offer similar categories of goods (clothing, footwear, western wear). This conduct demonstrates an intentional attempt to impersonate the Complainant and to attract Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement.

Such circumstances fall squarely within paragraph 4(b)(iv) of the Policy.

Further, the absence of any Response or credible explanations and evidence by the Respondent reinforces the inference of bad faith.

Accordingly, the Panel concludes that the disputed domain name was registered and is being used in bad faith.

Taken together, the circumstances of this case support a finding that the disputed domain name was both registered and used in bad faith.

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 <rank-45.com> be transferred to the Complainant.

/Ada L. Redondo Aguilera/

Ada L. Redondo Aguilera

Sole Panelist

Date: May 6, 2026