

ADMINISTRATIVE PANEL DECISION

Build-A-Bear Workshop, Inc. v. no, lar frank
Case No. D2026-1239

1. The Parties

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

The Respondent is no, lar frank, Philippines.

2. The Domain Names and Registrar

The disputed domain names <buildabeardeals.com> and <buildabearoutlet.com> are registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 23, 2026. On March 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 23, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (User #3a6b1418 Privacy, See PrivacyGuardian.org User #d78fac40 Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 24, 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 26, 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 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 17, 2026.

The Center appointed Douglas Clark as the sole panelist in this matter on April 22, 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 Build-A-Bear Workshop, Inc., a corporation organized and existing under the laws of the United States of America, with its principal place of business in St. Louis, Missouri, United States. The Complainant was founded in 1997 and operates a global retail business offering a teddy-bear themed retail-entertainment experience, enabling customers to create personalized stuffed animals through interactive in-store and online platforms. As of August 2025, the Complainant operated hundreds of retail outlets worldwide and maintained an extensive online and franchise presence across North America, Europe, Asia, and other regions.

The Complainant is the owner of the BUILD-A-BEAR trademark, which it uses in connection with its retail services, toys, plush products, and related goods and services. The Complainant holds numerous registrations for the BUILD-A-BEAR mark in jurisdictions around the world including:

- European Union trademark for the BUILD-A-BEAR word mark (registration number 004872479), registered on October 10, 2007, covering goods and services in International Classes 28 and 35;
- United Kingdom trademark for the BUILD-A-BEAR word mark (registration number 00904872479), registered on October 10, 2007, covering goods and services in International Classes 28 and 35;
- Canadian trademark for the BUILD-A-BEAR work mark (registration number TMA712817) registered on April 25, 2008, covering goods and services in International Classes 28, 35 and 41; and
- United States trademark for the BUILD-A-BEAR word mark (registration number 3741249), registered on January 19, 2010, covering services in International Class 35.

The Complainant has used the BUILD-A-BEAR mark since 1997 for commercial purposes, advertising, and promotional activities.

The Complainant also operates its principal website at "www.buildabear.com" which was registered on March 13, 1997.

The registrant appears to be an individual based in the Philippines.

The disputed domain names are as follows:

- <buildabearoutlet.com> registered on February 4, 2026; and
- <buildabeardeals.com> registered on February 12, 2026.

The disputed domain names resolved to websites that displayed the Complainant's BUILD-A-BEAR logo and offered products purporting to be the Complainant's goods for sale. The content of those websites closely resembled the Complainant's official website and gave the overall impression of being operated by, or affiliated with, 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 names.

Notably, the Complainant contends that (i) the disputed domain names are identical or confusingly similar to the Complainant's trademark; (ii) Respondent has no rights or legitimate interests in the domain names; and (iii) Respondent registered and is using the domain names in bad faith.

In particular, the Complainant contends that Respondent registered and is using the disputed domain names, to confuse and lure Internet Users to its website.

The Complainant submits that it has no affiliation with the Respondent, nor has it authorized the Respondent to register or use a domain name, which includes the Complainant's marks, and that the Respondent has no rights or legitimate interests in the registration of the disputed domain names. Rather, the Complainant contends that the Respondent has acted in bad faith in acquiring and setting up the disputed domain names, when the Respondent clearly knew of the Complainant's rights.

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.

In the present case, the disputed domain names are confusingly similar to the Complainant's BUILD-A-BEAR trademark. The disputed domain names incorporate the Complainant's mark in its entirety, except for the hyphens. The addition of the terms "outlet" and "deals" does not prevent a finding of confusing similarity, as the mark remains clearly recognizable. [WIPO Overview 3.1](#), section 1.8.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights, and that the Complainant has satisfied the first element of paragraph 4(a) of the Policy.

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 the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for 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.

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 Respondent reproduced substantial portions of the Complainant's website content, including the Complainant's trademark, on the websites associated with the disputed domain names whilst offering the same products for sale. By doing so, it is clear the Respondent was intentionally seeking to attract Internet users for commercial gain through the creation of a likelihood of confusion with the Complainant's mark, and to induce them into transactions that are likely fraudulent in nature.

Panels have also held that the use of a domain name for the purposes of passing off constitutes bad faith under the Policy. [WIPO Overview 3.0](#), section 3.4.

The Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

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 names <buildabeardeals.com> and <buildabearoutlet.com> be transferred to the Complainant.

/Douglas Clark/

Douglas Clark

Sole Panelist

Date: May 7, 2026