

ADMINISTRATIVE PANEL DECISION

George Strait Productions, Inc. v. Prodip Mondal
Case No. D2026-1248

1. The Parties

The Complainant is George Strait Productions, Inc., United States of America (“United States”), represented by Akin Gump Strauss Hauer & Feld LLP, United States.

The Respondent is Prodip Mondal, India.

2. The Domain Name and Registrar

The disputed domain name <georgestraitmerchs.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 23, 2026. On March 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 24, 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 provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 26, 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 31, 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 April 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 28, 2026.

The Center appointed Zoltán Takács as the sole panelist in this matter on April 30, 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 in this proceeding is a Texas corporation, the owner of intellectual property rights associated with Mr. George Strait, an American country music singer, songwriter, actor, and music producers.

As one of the most celebrated and commercially successful recording artists, over his more than 40-year career Mr. George Strait sold more than 70 million albums worldwide, making him one of the best-selling music artists of all time.

The Complainant is the owner of among others the United States Trademark Registration No. 2039665 for the word mark GEORGE STRAIT registered on February 25, 1997.

The Complainant also owns the domain name <georgestrait.com> which was registered on March 4, 1998. The corresponding website “www.georgestrait.com” includes information about Mr. George Strait – such as biographical information, concert schedules, and other news – and a link to a legitimate online store that sells authorized George Strait merchandise.

The disputed domain name was registered on July 30, 2024, and has been resolving to a website bearing the title “George Strait Merch – Official Merchandise Store”. The website prominently displays the George Strait name, the GEORGE STRAIT mark, as well as associated imagery, and includes a link to an online store where various George Strait related apparel is offered for sale.

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 which incorporates the entirety of the GEORGE STRAIT mark with the addition of term “merchs” - a plural of “merchandise” - is confusingly similar to the mark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy; and
- the incorporation of the GEORGE STRAIT mark into the disputed domain name, combined with the merchandise-related suffix “merchs” is indication that the Respondent deliberately targeted the GEORGE STRAIT mark and the Complainant’s merchandise business through registration and use of the disputed domain name.

The Complainant requests that the disputed domain name be transferred from the Respondent to the Complainant.

B. Respondent

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

6. Discussion and Findings

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

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 GEORGE STRAIT mark is reproduced in the disputed domain name. Although the addition of other terms, here "merchs" – a plural of "merchandise" – may bear on assessment of the second and third elements, the Panel finds that 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](#), sections 1.7 and 1.8.

The Panel finds that 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.

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 notes that the Complainant has not authorized, licensed, or allowed the Respondent to use its GEORGE STRAIT mark in the disputed domain name or otherwise.

According to the evidence submitted by the Complainant, the Respondent has been using the disputed domain name to deceive Internet users looking for the Complainant through redirecting them to its own website which bears the title “George Strait Merch – Official Merchandise Store”. The website prominently displays the George Strait name, the GEORGE STRAIT mark and associated imagery, and includes a link to an online store where various George Strait related apparel is offered for sale.

Such use of the disputed domain name is not legitimate since it is misleading as to the source or sponsorship, and a pretext for tarnishment or commercial gain. [WIPO Overview 3.1](#), section 2.5.3.

The Panel also notes that there is no evidence as to whether the goods offered for sale through the Respondent’s website at the disputed domain name are “genuine”, or whether any of those goods ultimately existed or exist. Despite the lack of authorization or relationship, the Respondent identifies its website as an “official” store for the Complainant’s merchandise products.

Consequently, even if the merchandise that appeared through the Respondent’s website under the disputed domain name would have existed or were genuine, the Respondent’s website would still not qualify as fair use. [WIPO Overview 3.1](#), sections 2.13.2 and 2.8.1, and *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The Panel is also of the view that the misleading nature of the disputed domain name, namely incorporating the Complainant’s trademark and a descriptive term “merchs” carries risk of implied affiliation, reflecting the Respondent’s ultimate intent to mislead Internet users. [WIPO Overview 3.1](#), section 2.5.1.

The Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name and that 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.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

In the present case, the Panel notes that the Complainant’s GEORGE STRAIT mark predates the date of registration of the disputed domain name.

The website at the disputed domain name claims to be the “Official Merchandise Store” of George Strait related products.

Thus, in view of the Panel it is clear that the Respondent had actual knowledge of the Complainant and its mark and registered and used the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant’s trademark. Paragraph 4(b)(iv) of the Policy.

The Respondent’s intent to target the Complainant and its mark can be readily inferred from the contents of the Respondent’s website seeking to direct Internet traffic to its website in order to gain illegitimate profit through false association. Visitors of the Respondent’s website might reasonably believe that it is connected to or approved by the Complainant as it appears to offer merchandise under the Complainant’s mark and imagery and gives the impression that the site attached to the disputed domain name is official, while that is clearly not the case.

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 <geogestraitmerchs.com> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: May 14, 2026