

ADMINISTRATIVE PANEL DECISION

Harley-Davidson Motor Company, Inc. v. Randy Butler
Case No. D2026-1575

1. The Parties

Complainant is Harley-Davidson Motor Company, Inc., United States of America (“United States”), represented by Briffa Legal Limited, United Kingdom.

Respondent is Randy Butler, United States.

2. The Domain Name and Registrar

The disputed domain name <harleytrikes.com> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 14, 2026. On April 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 15, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC, DomainsByProxy.com) and contact information in the Complaint. The Center sent an email communication to Complainant on April 16, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on the same date.

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 Respondent of the Complaint, and the proceedings commenced on April 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 10, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 12, 2026.

The Center appointed Kimberley Chen Nobles, David Stone, and Evan D. Brown as the Administrative Panel in this matter on May 27, 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

Complainant is a manufacturer, retailer and distributor of motorcycles and related products. Since 1903, Complainant and its predecessors have been using the trademark HARLEY-DAVIDSON in relation to motorcycles and related merchandise. In 2024, Complainant generated over USD 5 billion from sales of its motorcycles and related products.

Complainant owns several registered trademarks for the HARLEY-DAVIDSON mark, such as:

- United Kingdom registered trademark number 658028 for the HARLEY-DAVIDSON word mark, registered on April 9, 1947;
- United Kingdom registered trademark number 901172329 for the HARLEY-DAVIDSON word mark, registered on August 7, 2000; and
- United States registered trademark number 1078871 for the HARLEY-DAVIDSON word mark, registered on December 6, 1977.

Complainant also owns and operates its principal website at the domain name <harley-davidson.com>, registered on November 8, 1994.

In the 1930s, Complainant began offering three-wheel motorcycles or “trikes” for sale, under its HARLEY-DAVIDSON mark. The record shows that one range of such motorcycles, known as “trikes” in the industry were marketed and sold as the “Harley-Davidson Servi-Car” from around 1931 to 1973. The record also shows that in 2009, Complainant launched a range of trikes known as “TRI GLIDE”. Sales of Complainant’s TRI GLIDE trikes have averaged around USD 250 million per year between 2015 and 2025.

The Domain Name was registered on February 22, 2021, and resolves to a website that offers for sale kits for converting Complainant’s two-wheeled motorcycles into trikes. Complainant indicates that it is not affiliated with nor authorized Respondent to conduct such activities.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant’s trademark; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations and rights for HARLEY-DAVIDSON and that Respondent registered and is using the Domain Name, with the intention to confuse Internet users looking for Complainant’s bona fide and well-known services.

Complainant notes that it has no affiliation with Respondent, nor authorized Respondent to register or use a domain name which includes Complainant's trademark, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Rather, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights. Specifically, Complainant argues that Respondent used the Domain Name to create a false association with Complainant, so as to deceive Internet users into believing that its website is associated with Complainant or offers Complainant's products, while Respondent is actually offering its own, competing products for sale.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") states that failure to respond to complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the HARLEY-DAVIDSON trademark, as noted above. Complainant has therefore proven that it has the requisite rights in the HARLEY-DAVIDSON trademark.

With Complainant's rights in the HARLEY-DAVIDSON trademark established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain in which it was registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark.

The term "harley" in the HARLEY-DAVIDSON trademark is recognizable in the Domain Name. In addition, the term "harley" is not only a dominant element of the HARLEY-DAVIDSON trademark, but also distinctive by itself within the motorcycle industry. Indeed, UDRP panels have consistently held that where the dominant feature of a complainant's mark is reproduced or recognizable in the disputed domain name, it is sufficient to establish confusing similarity (see for example *DHL Operations B.V. v. DHL Packers*, WIPO Case No. [D2008-1694](#) and [WIPO Overview 3.1](#), section 1.7).

Here, the Panel finds that the dominant feature of Complainant's mark, the term "harley" of the HARLEY-DAVIDSON trademark is recognizable in the Domain Name and, the additional term "trikes" in the Domain Name does not prevent a finding of confusing similarity between the Domain Name and the HARLEY-DAVIDSON trademark. [WIPO Overview 3.1](#), section 1.8.

The Panel's above finding is further supported by the content of the website connected to the disputed domain name referencing the Complainant's trademark HARLEY-DAVIDSON. [WIPO Overview 3.1](#), section 1.15.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. [WIPO Overview 3.1](#), section 2.1. Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its HARLEY-DAVIDSON trademark and does not have any rights or legitimate interests in the Domain Name. Complainant has affirmed, without objection by Respondent, that Respondent is not affiliated with Complainant, or otherwise authorized or licensed to use the HARLEY-DAVIDSON trademark or to seek registration of any domain name incorporating this trademark. Respondent is also not known to be associated with the HARLEY-DAVIDSON trademark and, although the Panel notes the website refers to "the Harley Trikes Brand Created in 2008 by Randy Butler", Respondent has failed to come forward with any evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the record shows that the Domain Name resolves to a website that offers for sale its own goods (i.e., its kits) which compete with Complainant's products, namely, trikes.

Complainant further submits that the website the Domain Name resolves to, does not accurately nor prominently disclose Respondent's (lack of) relationship with the Complainant. Instead, it claims to offer "The Original Harley Trikes", and features prominently, the banner "HARLEY-DAVIDSON TRIKE CONVERSION KITS" on its landing page. The website also refers to Harley-Davidson motorcycle model names, which may give the false impression that it is offering for sale, Complainant's products.

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name. Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the HARLEY-DAVIDSON trademark predate the registration of the Domain Name. Complainant is also well established and known; indeed, the record shows that Complainant’s HARLEY-DAVIDSON trademark and related products and services are known and recognized for purposes of the Policy. Therefore, and also noting the use analysis below, Respondent was clearly aware of the HARLEY-DAVIDSON trademark when it registered the Domain Name. The Panel therefore finds that Respondent’s awareness of Complainant’s trademark rights at the time of registration suggests bad faith. [WIPO Overview 3.1](#), section 3.2.2.

Moreover, Respondent registered and is using the Domain Name to confuse and mislead consumers looking for bona fide and well-known HARLEY-DAVIDSON products and services of Complainant’s. In particular, the Domain Name reproduces the dominant element of Complainant’s well known mark and resolves to a website that not only features Complainant’s trademarks, but is used to further promote Respondent’s own products while claiming to be “The Original Harley Trikes” and “HARLEY-DAVIDSON TRIKE CONVERSION KITS”, to attract and divert Internet users to the website associated with the Domain Name. By doing so, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent’s website by creating a likelihood of confusion with Complainant’s HARLEY-DAVIDSON marks as to the source, sponsorship, affiliation, or endorsement of Respondent’s website.

UDRP panels have consistently held that a respondent’s use of a domain name to trade off on the goodwill in a complainant’s well-known trademark caused by the likelihood of confusion, as here, constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#).

Finally, the Panel also notes the failure of Respondent to submit a response, and the use of a privacy or proxy service, supports a finding of Respondent’s bad faith. In the present circumstances, considering the reputation of the HARLEY-DAVIDSON trademark, and the use of the Domain Name, the Panel finds that Respondent registered and is using the Domain Name in bad faith.

Therefore, the Panel finds that Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <harleytrikes.com> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Presiding Panelist

/David Stone/

David Stone

Panelist

/Evan D. Brown/

Evan D. Brown

Panelist

Date: June 9, 2026