

ADMINISTRATIVE PANEL DECISION

FS IP Owner LLC v. 杨勇波 (yongbo), 博思云科技（浙江）有限公司 (Boss Cloud Technology (Zhejiang) Co., Ltd.)

Case No. D2026-1766

1. The Parties

The Complainant is FS IP Owner LLC, United States of America (“United States”), internally represented.¹

The Respondent is 杨勇波 (yongbo), 博思云科技（浙江）有限公司 (Boss Cloud Technology (Zhejiang) Co., Ltd.), China.

2. The Domain Name and Registrar

The disputed domain name <fieldstreamfishingshirts.com> is registered with Xin Net Technology Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on April 24, 2026. On April 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 29, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 1, 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 amendment to the Complaint in English on May 1, 2026 and filed an amended Complaint in English on May 13, 2026.

On May 1, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On May 13, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

¹The Panel notes that in the database of the United States Patent and Trademark Office, the Complainant’s name is listed as “F&S IP Owner LLC” with the same address as that provided in the Complaint.

The Center verified that the Complaint together with the amendment to the Complaint and 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 in English and Chinese of the Complaint, and the proceedings commenced on May 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 5, 2026.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on June 11, 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, FS IP Owner LLC, is a company based in the United States that owns and manages the intellectual property rights associated with the FIELD & STREAM marks. The evidence shows that the FIELD & STREAM brand has been used intensively for clothing and outdoor apparel for many years and that the Complainant offers clothing and related products, including fishing apparel, through its official online retail channels.

The Complainant has shown that it owns trademark registrations for the FIELD & STREAM mark, including, among others, the following:

- United States Patent and Trademark Office, Registration No. 1,360,646 for FIELD & STREAM, registered on September 17, 1985; and
- United States Patent and Trademark Office, Registration No. 8,104,120 for the stylized FIELD & STREAM ESTB 1871 mark, registered on January 13, 2026.

The Complainant also owns additional trademark registrations for the FIELD & STREAM mark.

The disputed domain name <fieldstreamfishingshirts.com> was registered on September 18, 2025. The evidence shows that the disputed domain name previously resolved to a commercial website prominently displaying the Complainant’s FIELD & STREAM ESTB 1871 mark and offering clothing products branded as FIELD & STREAM. The website fully reproduced the Complainant’s branding and product categories, including “Performance Fishing”, and advertised products such as the “Field & Stream Men’s Cloud Cover Nylon Anorak” for sale. However, at the time of this Decision, the disputed domain name directs to an inactive website.

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 incorporates its FIELD & STREAM trademark in its entirety, omitting only the ampersand and adding the descriptive terms “fishing” and “shirts”, which relate directly to the Complainant’s products and do not prevent a finding of confusing similarity.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states that it has not authorized the Respondent to use its FIELD & STREAM trademark, that the Respondent is not commonly known by the disputed domain name, and that the disputed domain name has been used for a commercial website impersonating the Complainant by displaying its trademark and logo and offering purported FIELD & STREAM products for sale. According to the Complainant, such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that the Respondent registered the disputed domain name with knowledge of the Complainant's well-established FIELD & STREAM trademark and intentionally used it to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark. The Complainant further submits that the Respondent's website impersonated the Complainant by reproducing its branding and product categories and offering purported FIELD & STREAM merchandise for sale, thereby demonstrating bad faith registration and use under the Policy.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the disputed domain name is composed entirely of English-language terms, the website previously associated with the disputed domain name was presented in English and targeted English-speaking consumers, the Respondent intentionally targeted the Complainant's United States-based English-language brand, requiring the Complaint to be translated into Chinese would result in unnecessary cost and delay, and the Respondent would not be prejudiced by the use of English given its registration of an English-language domain name and operation of an English-language commercial website.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Decision on the Merits

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 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 mark is recognizable 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.

Although the addition of other terms here, "fishing" and "shirts", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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](#), section 1.8.

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.

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 licensed, authorized, or otherwise permitted the Respondent to use its FIELD & STREAM trademarks or to register a domain name incorporating such marks. There is no evidence that the Respondent is in any way affiliated with, or otherwise has any relationship with the Complainant. There is also no evidence that the Respondent has been commonly known by the disputed domain name. Instead, the evidence shows that the disputed domain name was previously used for a website prominently displaying the Complainant's FIELD & STREAM trademarks and offering purported FIELD & STREAM products for sale in a manner that passed off or falsely suggested an affiliation with the Complainant. Panels have held that the use of a domain name for illegitimate activity here, claimed as passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Finally, the Panel notes that the disputed domain name incorporates the Complainant's FIELD & STREAM trademark in a readily recognizable form, omitting only the ampersand and adding the descriptive terms "fishing" and "shirts", which directly relate and refer to the Complainant's products. In these circumstances, the Panel considers that the disputed domain name carries a risk of implied affiliation with the Complainant. Its composition falsely suggests sponsorship, endorsement, or authorization by the Complainant and does not support any finding of rights or legitimate interests on the part of the Respondent. See section 2.5.1 of the [WIPO Overview 3.1](#).

Based on the above elements, 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.

In the present case, the Panel notes that the Respondent registered the disputed domain name many years after the Complainant had established rights in its FIELD & STREAM trademark. Given the composition of the disputed domain name, which incorporates the Complainant's trademark in a readily recognizable form together with the descriptive terms "fishing" and "shirts", the Panel finds that the Respondent knew, or at least should have known, of the Complainant's trademark rights when registering the disputed domain name. A simple Internet search, or even a trademark register search, conducted prior to registration would have immediately disclosed the Complainant's rights. This finding is further confirmed by the Respondent's subsequent use of the disputed domain name for a website passing off the Complainant and prominently displaying the Complainant's FIELD & STREAM trademark and branding. In these circumstances, the Panel finds that the disputed domain name was registered in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The Panel accepts that 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 FIELD & STREAM trademark as to the source, sponsorship, affiliation, or endorsement of the website at the disputed domain name and the products offered on it. The Respondent's use of the disputed domain name to operate a passing off website prominently displaying the Complainant's trademark and branding, reproducing the Complainant's product categories, and offering purported FIELD & STREAM products for sale falls squarely within the circumstances contemplated by paragraph 4(b)(iv) of the Policy. Additionally, panels have consistently held that the use of a domain name for illegitimate activity, including passing its website off as that of the Complainant, constitutes evidence of bad faith. See section 3.4 of the [WIPO Overview 3.1](#). Having reviewed the evidence, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

As to the current inactive status of the disputed domain name, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 name <fieldstreamfishingshirts.com> be transferred to the Complainant.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: June 23, 2026