

ADMINISTRATIVE PANEL DECISION

Broers Group Pty Ltd v. themytexas house
Case No. D2026-1808

1. The Parties

The Complainant is Broers Group Pty Ltd, Australia, represented by Zeal Legal Group, Australia.

The Respondent is themytexas house, China.

2. The Domain Name and Registrar

The disputed domain name <oikiture.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 28, 2026. On April 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 30, 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 (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 30, 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 May 4, 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 May 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 26, 2026.

The Center appointed Reyes Campello Estebaranz as the sole panelist in this matter on June 2, 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 a company incorporated under the laws of Australia, which operates in the online retail and distribution of furniture and homewares under the OIKITURE brand.

The Complainant is the owner of Australian Trademark Registration No. 2204443, OIKITURE (figurative), registered on August 26, 2021, featuring the following graphic representation:

(Hereinafter referred to as the “OIKITURE Mark”).

The disputed domain name was registered on October 15, 2025. It currently redirects to the domain name <oikitures.com>, which resolves to a landing page displaying a rectangular banner with the image of a chair and the text: “Oikiture® Furniture, Bed Frames, Dining Chairs 25% OFF”. This text is followed by an invitation to shop for OIKITURE furniture online in Australia, alongside a notice stating that the site offers “Promo Code & Coupons: Up To 80% Off”. Upon clicking within the aforementioned rectangle, the user is redirected to the website “www.theofficialsiteusa.com/oikiture/”, where an OIKITURE modular sofa is offered for sale alongside various other products from different unrelated brands. This website displays the following statement: “The official Website USA - your ultimate shopping guide. Browse a wide range of products, compare prices, and make informed purchasing decisions. Shop with confidence at TheOfficialSiteUSA and find the best deals online.”

According to the evidence submitted by the Complainant, the disputed domain name previously resolved to an English-language website that featured the OIKITURE Mark with the registered trademark symbol (®) in its header, and purportedly offered furniture for sale. This website displayed various images of furniture accompanied by descriptions that did not correspond to the respective products, instead utilizing generic placeholder text related to “Nerf Guns” (toy weapons designed to shoot proprietary foam projectiles, such as darts, foam balls, or disks). Furthermore, the “Privacy Policy” and “Terms and Conditions” sections of the website listed an Australian physical address and a telephone number, as well as an email address and a contact form. Both the telephone number and the physical address displayed on the website belong to the Complainant. The operator of the website identified itself using the term “oikiture”, and the copyright notice on the site read: “© 2025 oikiture.com, All rights reserved.”

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 identical to its trademark, as it incorporates the textual element of the OIKITURE Mark in its entirety.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name was registered more than four years after the registration of the OIKITURE Mark, and the corresponding term forms no part of the Respondent’s business or corporate name. Furthermore, the Complainant has been unable to locate any evidence of the Respondent’s business activities, including an attempt to call the telephone number listed on the

Respondent's website that redirected to a voicemail. The website associated with the disputed domain name demonstrates no genuine commercial activity, given that the product descriptions do not match the associated images.

Finally, the Complainant asserts that the disputed domain name was registered and is being used in bad faith to improperly taking advantage of the OIKITURE Mark or to disrupt the Complainant's business. In particular, the Complainant points to three main factors indicating the Respondent's bad faith: (i) the Respondent's website lacks genuine commercial activity due to generic product descriptions that do not correspond to the product names; (ii) it unlawfully utilizes the registered trademark symbol (®) and an Australian address to falsely imply trademark ownership and mislead Internet users; and (iii) it further misleads consumers by listing the Complainant's actual telephone number and physical address (which match those on its official outlet website at "www.oikosoutlet.com.au") within its privacy policy and terms. This inference of bad faith is further supported by the Respondent's use of a privacy service to deliberately mask its identity.

B. Respondent

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

6. Discussion and Findings

The Complainant has submitted all relevant assertions under the Policy, and the dispute properly falls within its scope. The Panel has the authority to decide the dispute by examining the three elements set forth in paragraph 4(a) of the Policy, taking into account all relevant evidence, annexed materials, and submissions. The Panel may also conduct limited independent research pursuant to its general powers, as provided, inter alia, in paragraph 10 of the Rules.

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, namely the OIKITURE Mark. [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 identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

UDRP panels have consistently held that the assessment of identity or confusing similarity involves a comparison between the alphanumeric domain name and the textual components of the relevant mark. To the extent that design, figurative, or stylized elements are incapable of representation within a domain name, such elements are largely disregarded for the purposes of assessing identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.10.

Furthermore, the generic Top-Level Domain ("gTLD") ".com" is viewed as a standard technical registration requirement and, as such, is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.

Accordingly, 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 finds that nothing in the record indicates that the Respondent possesses any rights or legitimate interests in respect of the disputed domain name.

In this regard, the Panel observes that the term “oikiture” is a coined, fanciful term with no dictionary meaning, and it shares no similarity with the Respondent’s name as revealed by the Registrar’s verification.

Furthermore, the Panel has confirmed through a search in the WIPO Global Brand Database that the Respondent holds no trademark rights over the term “oikiture”.¹

The Panel further finds that the current use of the disputed domain name - which is identical to the OIKITURE Mark - to redirect traffic to a landing page at a different domain name that also reproduces the OIKITURE Mark with an additional letter “s” (<oikitures.com>), as an intermediate step to guide users to a third website that purportedly commercializes OIKITURE furniture alongside other products unrelated to the mark, cannot be considered a bona fide offering of goods or services under the Policy. Such use, and the disputed domain name itself, carries a high risk of implied affiliation with the Complainant and its OIKITURE Mark, and improperly capitalizes on this false impression to increase web traffic for commercial gain.

UDRP panels have consistently held that domain names identical to a complainant’s trademark carry a high risk of implied affiliation, which precludes any claim to rights or legitimate interests by an unauthorized third party. [WIPO Overview 3.1](#), section 2.5.1.

Furthermore, the Panel notes that the prior use of the disputed domain name in connection with a website that reproduced the OIKITURE Mark followed by the registered trademark symbol (®), contained no disclaimer regarding the lack of relationship with the Complainant, but, on the contrary, identified its operator as “OIKITURE” and provided contact details identical to the Complainant’s physical address and telephone number. This demonstrates a clear attempt to impersonate the Complainant in an effort to pass itself off as one of the Complainant’s official websites. Such deceptive use constitutes an unlawful activity that cannot confer rights or legitimate interests upon the Respondent.

¹ Under the general powers articulated in paragraphs 10 and 12 of the Rules, a panel may undertake limited factual research into public records if such information is useful to assessing the case merits and reaching a decision. [WIPO Overview 3.1](#), section 4.8.

Additionally, the exceptionally low prices offered on the websites indirectly linked to the disputed domain name, featuring promotional codes or coupons offering “up to 80% off”, strongly suggest a dubious origin of the goods or that the goods may not actually be on offer but rather mask illicit activity. See, e.g., *Blu Dot Design & Manufacturing, Inc. v. FangShuidi*, WIPO Case No. [D2023-4128](#) (“Comparing the prices on the website at the disputed domain name (the full price and the discounted price for the same product),[...] it is reasonable to conclude that those offered on the website at the disputed domain name are counterfeit products. As a result, the Panel finds on balance of probabilities that the website to which the disputed domain name resolves offers counterfeits of the Complainant’s products”); and *Frankie Shop LLC v. Marquita Couture, and Maria Valencia*, WIPO Case No. [D2024-4104](#) (“[...] the disputed domain names resolved to almost identical websites prominently displaying the Complainant’s trademark and purportedly offering the Complainant’s goods for sale at heavily discounted prices without any prominent and accurate disclaimer regarding the relationship between the Complainant and Respondent. Those goods appear to be counterfeits of the Complainant’s goods based on the significant price difference”).

Panels have firmly established that the use of a domain name for illegitimate or illegal activities - such as the sale of counterfeit or unlicensed goods, phishing, identity theft, passing off, or other forms of fraud - can never confer rights or legitimate interests upon a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Accordingly, 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 Panel finds that the circumstances of this case clearly demonstrate the registration and use of the disputed domain name in bad faith. In particular, several factors establish that the Respondent was fully aware of the Complainant’s prior rights and specifically targeted those rights when registering and using the disputed domain name, namely: (i) the fact that the disputed domain name is identical to the OIKITURE Mark; (ii) the unauthorized inclusion of the OIKITURE Mark followed by the registered trademark symbol (®) on the Respondent’s website; and (iii) the inclusion of the Complainant’s own physical address and telephone number within the privacy policy and terms sections of the Respondent’s website.

Furthermore, the Panel notes that the Respondent has failed to provide any explanation regarding any rights or legitimate interests in the disputed domain name and has not rebutted the Complainant’s allegations of bad faith. On the contrary, the Respondent’s reaction to the filing of the Complaint appears to have been the introduction of a second intermediate domain name - likewise reproducing the OIKITURE Mark, but in its plural form (<oikitures.com>) - to redirect users to a third website that purportedly offers the Complainant’s furniture products at heavily discounted prices through promotional codes or coupons offering “up to 80% off”.

The Panel finds that such activity either constitutes the unlawful sale of counterfeit goods - given the implausible nature of such extreme price reductions - or represents a deceptive promotional bait-and-switch scheme designed to artificially inflate web traffic for commercial gain or for other unlawful lucrative purposes such as, e.g., capturing sensitive payment information. In either scenario, UDRP panels have firmly established that the utilization of a domain name for illegitimate or illegal activities, such as the sale of counterfeit goods, phishing, identity theft, passing off, or other forms of fraud, constitutes definitive evidence of bad faith. [WIPO Overview 3.1](#), section 3.4.

Additionally, the Panel notes that the owner of the disputed domain name utilized a privacy service to mask its identity. While the use of such services is not per se illegitimate, in the context of this case - characterized by impersonation and deceptive redirection - it further supports the inference that the Respondent acted in bad faith to evade detection. [WIPO Overview 3.1](#), section 3.6.

Consequently, having reviewed the entire record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

Accordingly, the Panel finds that the third element of the Policy has been satisfied.

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 <oikiture.com> be transferred to the Complainant.

/Reyes Campello Estebaranz/

Reyes Campello Estebaranz

Sole Panelist

Date: June 10, 2026