ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Pride Manufacturing Company, LLC v. Shazia Parveen
Case No. D2026-1821

1. The Parties

The Complainant is Pride Manufacturing Company, LLC, United States of America (the "United States"), represented by Dentons Durham Jones Pinegar, United States.

The Respondent is Shazia Parveen, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <orca-coolers.com> (the "Disputed Domain Name") is registered with Spaceship, 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 29, 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 confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 28, 2026.

The Center appointed Flip Jan Claude Petillion as the sole panelist in this matter on June 4, 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, Pride Manufacturing Company, LLC, invokes 2 registered trademarks:

- ORCA, United States word mark No. 4902152, registered on February 16, 2016, and covering goods in class 18 (dry bags);

- United States figurative mark No. 4902153 depicted below, registered on February 16, 2016, and covering products covering goods in class 18 (dry bags):



The Disputed Domain Name was registered on November 29, 2025 and appears to resolve to a website including information and pictures of ORCA branded products, some of which are also 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 is confusingly similar to a trademark in which it claims to have rights.

The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name as, in summary:

- the Respondent has no authorization, license, or affiliation of any kind with the Complainant. The Complainant has not granted the Respondent any right to use the ORCA trademark, nor has the Complainant consented to the Respondent's registration or use of a domain name incorporating the ORCA mark;

- there is no evidence that the Respondent has ever been commonly known by the Disputed Domain Name or by any name incorporating the ORCA mark;

- the Respondent is neither making a bona fide offering of goods or services through the Disputed Domain Name nor a legitimate noncommercial or fair use of the Disputed Domain Name. Rather, the website operating at the Disputed Domain Name is designed to impersonate ORCA and deceive consumers into believing they are purchasing genuine ORCA products.

Finally, the Complainant claims that the Disputed Domain Name was registered and is being used in bad faith. In summary, according to the Complainant:

- the Disputed Domain Name was registered long after the Complainant's trademark rights accrued. The Disputed Domain Name incorporates the Complainant's registered ORCA trademark in its entirety, combined with the term "coolers", a product category closely associated with the Complainant's brand. Given the distinctiveness of the ORCA mark and its established reputation in the marketplace, the Respondent must have been aware of the Complainant's trademark rights at the time of registration of the Disputed Domain Name;

- the Respondent is using the Disputed Domain Name to operate a website that impersonates the Complainant and purports to sell ORCA-branded products. By using the Disputed Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the

Respondent's website by creating a likelihood of confusion with the Complainant's ORCA mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the products purportedly offered thereon.

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.

Based on the available record, the Panel finds 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 Panel observes that the Complainant's ORCA mark is reproduced in its entirety within the Disputed Domain Name. In such cases, the domain name will normally be considered confusingly similar to the incorporated mark for purposes of UDRP standing. WIPO Overview 3.1, section 1.7.

Additionally, the Panel finds that the mere addition of a hyphen and the term "coolers" 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.

It is well established that generic Top-Level Domains, here ".com", may be disregarded when considering whether the Disputed Domain Name is confusingly similar to a trademark in which the Complainant has rights. WIPO Overview 3.1, section 1.11.

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 Respondent has not apparently been commonly known by the Disputed Domain Name. According to the information provided by the Registrar, the Respondent is "Shazia Parveen". The Respondent's use and registration of the Disputed Domain Name was not authorized by the Complainant.

Fundamentally, a respondent's use of a domain name will not be considered "fair" if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant's mark is often central to this inquiry. Even where a domain name consists of a trademark plus an additional term, UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. WIPO Overview 3.1, section 2.5.1. The Panel finds that this applies to the present case.

The Disputed Domain Name incorporates the Complainant's ORCA trademark in its entirety. In the Panel's view, the addition of the term "coolers" even increases the risk of confusion as, according to the Complainant, it has used the ORCA marks continuously in interstate commerce since November 2015 in connection with coolers. Therefore, the Panel finds that the Disputed Domain Name carries a risk of implied affiliation with the Complainant and cannot constitute fair use.

Beyond looking at the disputed domain name and the nature of any additional terms appended to the mark, UDRP panels also assess whether the overall facts and circumstances of the case, such as the content of the website linked to a disputed domain name and the absence of a response, support a fair use or not. WIPO Overview 3.1, sections 2.5.2 and 2.5.3.

The Disputed Domain Name currently redirects to the domain name <theorcacoolers.com>, which resolves to a website prominently displaying the Complainant's ORCA word and figurative marks, as well as product pictures bearing these marks. The Panel notes that the website also includes a "Shop ORCA Collection" link to a web page at "amazon.com" which includes various products similar to the Complainant's products. In the Panel's view, this neither amounts to a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the Disputed Domain Name. UDRP panels have categorically held that the use of a domain name for illegal activity (e.g. impersonation/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 Respondent had the opportunity to demonstrate its rights or legitimate interests but did not do so. In the absence of a Response from the Respondent, the prima facie case established by the Complainant has not been rebutted.

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. Among these factors demonstrating bad faith registration and use is the use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to a 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 the website or location or of a product or service on the website or location.

In the present case, the Panel finds that the Respondent must have been aware of the Complainant and its trademark rights when it registered the Disputed Domain Name:

- the Disputed Domain Name incorporates the Complainant's trademark in its entirety, combining it with a descriptive term closely associated to the Complainant's brand;
- the Complainant's trademarks predate the registration of the Disputed Domain Name by almost a decade;

- the Disputed Domain Name resolves to a website reproducing both the Complainant's word and figurative marks, and including a link to an online shopping page including various products similar to the Complainant's products.

In the Panel's view, the circumstances of this case indicate that the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark. Given that the use of a domain name for illegitimate activity (e.g. impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. WIPO Overview 3.1, section 3.1.4.

By failing to respond to the Complaint, the Respondent did not take any initiative to contest the foregoing. Pursuant to paragraph 14 of the Rules, the Panel may draw the conclusions it considers appropriate.

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 <orca-coolers.com> be transferred to the Complainant.

/Flip Jan Claude Petillion/
Flip Jan Claude Petillion
Sole Panelist
Date: June 15, 2026