

ADMINISTRATIVE PANEL DECISION

Bolner's Fiesta Products, Inc. v. Valentina Vorovska Case No. D2026-1901

1. The Parties

The Complainant is Bolner's Fiesta Products, Inc., United States of America ("United States" or "U.S."), represented by Gunn, Lee & Cave, PC, United States.

The Respondent is Valentina Vorovska, Germany.

2. The Domain Name and Registrar

The disputed domain name <thebolnerfiesta.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 May 1, 2026. On May 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 6, 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 on May 11, 2026, and the amended Complaint on May 20, 2026.

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 of the Complaint, and the proceedings commenced on May 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 12, 2026.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on June 16, 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 these administrative proceedings is Bolner's Fiesta Products, Inc., a Texas corporation.

The Complainant is a spice and seasoning company based in San Antonio, Texas, U.S. The Complainant has used its BOLNER'S FIESTA trademark in U.S. commerce since 1955.

The Complainant is, inter alia, the owner of the following:

United States trademark registration number 7,576,588 for the BOLNER'S FIESTA (word) trademark, registered on November 26, 2024, first use in commerce 1955; and

United States trademark registration number 7,638,770 for the BOLNER'S FIESTA BRAND (device) trademark, registered on January 7, 2025, first use in commerce 1955.

The disputed domain name was registered on March 20, 2026.

The disputed domain name resolves to a website where the BOLNER'S FIESTA trademark and logo as well as photos of the Complainant's products are displayed and several descriptions present the website as the official "Bolner Fiesta" (sic) website.

The Complainant contacted the Registrar to request that it cancel the disputed domain name. The Registrar responded to the Complainant, declining to take action. The Complainant also attempted to contact the Respondent via an email address "[...]@thebolnerfiesta.com" displayed on the website at the disputed domain name, but received a "delivery failed" notice.

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 the BOLNER'S FIESTA trademark, that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and in particular that the website available via the disputed domain falsely claims to be the official "Bolner Fiesta" (sic) website and includes photos of the Complainant's spice and seasoning products. In addition, based on information and belief, the Complainant affirms that the Respondent intends to use the disputed domain name to impersonate the Complainant and engage in "phishing" in an effort to defraud the Complainant's customers, vendors, and/or financial institutions.

B. Respondent

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

6. Discussion and Findings

In order for the Complainant to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainant must demonstrate to the Panel that:

- (i) the disputed 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 disputed domain name; and
- (iii) the disputed 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 mark BOLNER'S FIESTA is reproduced and 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 "the", may bear on assessment of the second and third elements, the Panel finds the addition of such term and the omission of the apostrophe and "s" in "Bolner" do 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 considers that the composition of the disputed domain name, consisting of the entirety of the Complainant's trademark, coupled with resolving to a website displaying the Complainant's logo and products and presenting itself as the "Bolner Fiesta Official Website", affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the dispute domain name.

Panels have also held that the use of a domain name for illegitimate activity, here, claimed passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 was aware of the Complainant's trademark registrations and rights to the BOLNER'S FIESTA trademark when it registered the disputed domain name.

The Complainant's trademark is distinctive and has been in use for several decades. The disputed domain name contains, without any authorization or approval, the Complainant's registered trademark in its entirety.

Moreover, in noting the use of the disputed domain name to impersonate the Complainant, it is apparent that the Respondent, when registering the disputed domain name, had knowledge of the Complainant's earlier rights to the BOLNER'S FIESTA trademark and targeted those.

By using the disputed domain name, the Panel notes 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 trademark. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

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.

Inference of bad faith registration and use of the disputed domain name is further supported by the fact that the Respondent apparently provided on the website at the disputed domain name a non-functioning email address.

Finally, the bad faith registration and use of the disputed domain name are further supported by the fact that the Respondent did not respond, nor did it deny the assertions of bad faith made by the Complainant in these proceedings.

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 <thebolnerfiesta.com> be transferred to the Complainant.

/Fabrizio Bedarida/

Fabrizio Bedarida

Sole Panelist

Date: June 23, 2026