

## **ADMINISTRATIVE PANEL DECISION**

Build-A-Bear Workshop, Inc. v. ANDREW S BONO  
Case No. D2026-1939

### **1. The Parties**

The Complainant is Build-A-Bear Workshop, Inc., United States of America, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is ANDREW S BONO, China.

### **2. The Domain Names and Registrars**

The disputed domain name <buildabeare.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com.

The disputed domain name <buildabearr.com> is registered with Realtime Register B.V. (together, the “Registrars”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 5, 2026. On May 6, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On May 6, and 7, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown / REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 7, 2026, providing the registrant and contact information disclosed by the Registrars, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on May 12, 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 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 3, 2026.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on June 8, 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**

It results from the Complainant's allegations, which the Respondent did not contest, that it is a global company that offers teddy-bear-themed retail entertainment and toy retail. It opened its first store in 1997 in Saint Louis, United States and maintained 368 retail store locations primarily throughout the United States, Canada, the United Kingdom, and Ireland as well as through its franchise locations in Europe, Asia, Australia, Africa, and the Middle East. In the fiscal year 2024, the Complainant generated revenues of USD 496 million.

The Complaint is based amongst others on the following registered trademarks for BUILD-A-BEAR:

- Chinese trademark registered under no. 18153356 on December 7, 2016 for goods in class 9;
- European Union Trade Mark registered under no. 004872479 on October 10, 2007 for goods and services in classes 28 and 35;
- United States trademark registered under no. 3741249 on January 19, 2010 for services in class 35.

The disputed domain names have been registered as follows:

- <buildabeare.com> on January 19, 2026;
- <buildabearr.com> on February 3, 2026.

Presently the disputed domain names resolve to blank websites without any content. However, prior to enforcement takedown actions by the Complainant, the disputed domain names resolved to webstores that appeared to be copies of the Complainant's website, including the BUILD-A-BEAR trademark at the top of the websites, and the same logo, and purporting to sell the Complainant's merchandise.

#### **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 names.

Notably, the Complainant contends that:

- (1) The disputed domain names are purposeful misspellings of the Complainant's BUILD-A-BEAR trademark and therefore confusingly similar to the Complainant's trademarks. In fact, the disputed domain names each vary from the Complainant's trademark by only one letter – "e" or "r" – added to the end of the BUILD-A-BEAR trademark respectively;

(2) the Respondent is not sponsored by or affiliated with the Complainant in any way. The Complainant has not given the Respondent permission to use the Complainant's trademarks in any manner, including in domain names. The Respondent is not commonly known by the disputed domain names, which evinces a lack of rights or legitimate interests. The disputed domain names' websites were purposely designed to serve as exact replicas of the Complainant's website, all as a means of deceiving Internet users into believing that the disputed domain names and their websites are associated with the Complainant;

(3) by registering domain names incorporating typosquatted version of the Complainant's BUILD-A-BEAR trademark, the Respondent has created domain names that are confusingly similar to the Complainant's trademark. As such, the Respondent has demonstrated a knowledge of and familiarity with the Complainant's brand and business. In addition, the Respondent had been using the disputed domain names to host copycat websites, featuring the Complainant's BUILD-A-BEAR trademark and logo, and selling the Complainant's merchandise.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that disputed domain name be transferred or cancelled:

(i) disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

(ii) the respondent has no rights or legitimate interests in respect of disputed domain name; and

(iii) disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

### **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 names, 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 (i.e., BUILD-A-BEAR) for the purposes of the Policy, [WIPO Overview 3.1](#), section 1.2.1.

The Panel recognizes that both disputed domain names contain the verbal elements of the said trademark – without the hyphens and with an additional letter – "e" and "r" – added at the end of the Second-Level Domains. Consequently, the Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy, [WIPO Overview 3.1](#), section 1.7.

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 names. 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 names such as those enumerated in the Policy or otherwise.

As detailed above, the disputed domain names resolve to blank websites without any content. However, prior to enforcement takedown actions by the Complainant, the disputed domain names resolved to webstores that appeared to be copies of the Complainant’s website including the BUILD-A-BEAR trademark at the top of the websites, and the same logo, and purporting to sell the Complainant’s merchandise. There is no disclaimer regarding the Respondent’s (missing) relationship with the Complainant, on the websites under the disputed domain names.

Moreover, the Panel notes that the disputed domain names contain the Complainant’s registered trademark entirely merely adding an additional final letter (which will be understood as a typo) and eliminating the hyphens between the three elements constituting the trademark. The disputed domain names, almost identical to the Complainant’s trademark and domain name <buildabear.com>, carry a risk of implied affiliation. In the present case, taking into account that the websites to which the disputed domain names resolved imitated the Complainant’s website, allegedly selling the Complainant’s products and reproducing without authorization the Complainant’s trademark and logo, the Panel sees the disputed domain names as tending to falsely suggest sponsorship or endorsement by the trademark owner.

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. One of these circumstances is that the respondent by using disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to its 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 its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy). This is the case here.

According to the Complainant’s documented allegations the disputed domain names resolved to webstores that appeared to be copies of the Complainant’s website including the BUILD-A-BEAR trademark at the top of the websites, and the same logo, and purporting to sell the Complainant’s merchandise.

Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent knew the Complainant and its trademark when it registered the disputed domain names and tried to pass itself off as the Complainant.

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 names <buildabeare.com> and <buildabearr.com> be transferred to the Complainant.

*/Tobias Malte Müller/*

**Tobias Malte Müller**

Sole Panelist

Date: June 23, 2026