

ADMINISTRATIVE PANEL DECISION

Leatherman Tool Group, Inc. v. 郑道君

Case No. D2026-1962

1. The Parties

The Complainant is Leatherman Tool Group, Inc., United States of America (“U.S.” or “United States”), represented by SafeNames Ltd., United Kingdom (“UK”).

The Respondent is 郑道君, China.

2. The Domain Name and Registrar

The disputed domain name <leatherman-store.com> is registered with Vantage of Convergence (Chengdu) Technology Co., Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2026. On May 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 9, 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 (N/A) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 12, 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 in English on May 12, 2026.

On May 12, 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 12, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English 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 Francine Tan as the sole panelist in this matter on June 9, 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 U.S. company founded in 1983 by Timothy Leatherman and Steve Berliner. The Complainant manufactures and sells multi-purpose tools and related accessories, including multi-tools, knives, pocket tools, and wearables. Its flagship product, the Pocket Survival Tool, comprising 13 tools in a five-ounce, four-inch foldable design, sold 30,000 units in its first year and over one million units over the following decade. The Complainant's current product line includes the "Wave", "Skeletool", "Juice", and "Tread" models, many of which have received national and international recognition in the multi-tool market, with coverage in major publications including Forbes and Business Insider.

The Complainant owns trademark registrations for LEATHERMAN in multiple jurisdictions, including the following:

- United States Trademark Registration No. 1,325,473, registered on March 19, 1985, in Class 8;
- United States Trademark Registration No. 2,596,689, registered on July 23, 2002, in Class 25;
- Canadian Trademark Registration No. TMA380140, registered on February 15, 1991, in Class 8; and
- European Union Trademark Registration No. 000041731, registered on March 31, 2004, in classes 18, 25, 28.

The Complainant operates its official website at "www.leatherman.com". The said domain name was registered on October 19, 1995. The Complainant states that the official website received, as of September 2025, an average of 1.1 million visits a month from users around the world including the U.S., Canada, Germany, France, and the UK.

The Complainant has registered a number of other domain names containing the LEATHERMAN trade mark, including <leatherman.ca>, <leatherman.be>, <leatherman.cn>, <leatherman.co.uk> and <leatherman.mx>.

The disputed domain name was registered on November 10, 2025. At the time of filing the Complaint, the disputed domain name resolved to a website displaying the Complainant's LEATHERMAN mark and logo and purporting to offer LEATHERMAN-branded products for sale. The website included login, account registration, and checkout functions, requesting users to enter personal and payment information. The website also displayed a Cloudflare "Suspected Phishing" warning page.

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:

- (i) The disputed domain name is confusingly similar to the Complainant's LEATHERMAN mark. The LEATHERMAN mark is recognizable, with only the addition of a hyphen and the word "store", which signals to online users that the website is a store for LEATHERMAN products, exacerbating potential consumer confusion.
- (ii) The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent does not have any trademark rights to the term "Leatherman". The Complainant has not licensed the Respondent to use the LEATHERMAN mark in a domain name. The Respondent's use of the disputed domain name for a website impersonating the Complainant and soliciting users' personal data and sensitive information constitutes neither an offering of goods or services nor legitimate noncommercial or fair use.
- (iii) The disputed domain name was registered and used in bad faith. The Respondent intentionally attempted to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the Complainant's LEATHERMAN mark as to the source, sponsorship, affiliation, or endorsement of its website or other online location. The Complainant's trademark registrations predate the registration date of the disputed domain name by over 40 years. The LEATHERMAN sign is a distinctive and well known trade mark. It is not plausible for the Respondent to claim that it was unaware of the Complainant's trade mark at the point of registration. The Respondent's attempt to obtain personal data and sensitive information exacerbates the misuse of the Complainant's LEATHERMAN trade mark. The Respondent did not provide any clear disclaimer on its website, which reinforces the presumption that the Respondent's intention was to cause confusion with the Complainant's trade mark.

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 Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that:

- (i) Neither the Complainant nor its representatives are familiar with the Chinese language;
- (ii) the Respondent's website is entirely in the English language;
- (iii) the disputed domain name contains the English word "store", which in combination with the website content, suggests that the Respondent targeted an English-speaking market and therefore likely possesses proficiency in English; and
- (iv) translation would cause the Complainant to incur considerable costs and delay the proceedings.

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. (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, in particular the fact that the website to which it resolved was entirely in English, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issues

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 the LEATHERMAN mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name incorporates the LEATHERMAN mark in its entirety. The addition of a hyphen and the term “store” does not prevent a finding of confusing similarity. See [WIPO Overview 3.1](#), sections 1.7 and 1.8.

The generic Top-Level Domain “.com” is a standard registration requirement and is generally disregarded when assessing confusing similarity under the first element. See [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

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 Respondent used the disputed domain name for a website that prominently reproduced the Complainant's LEATHERMAN mark and logo and purported to sell LEATHERMAN-branded products without any disclaimer clarifying the lack of relationship between the Parties. The website also invited users to create accounts, log in, and proceed through checkout by entering personal data and payment information. Such use, which passes itself off as the Complainant and creates a false impression of affiliation, cannot constitute a bona fide offering of goods or services or legitimate noncommercial or fair use.

Panels have held that the use of a domain name for illegitimate activity, such as including phishing, and passing off as claimed in the present case, can never confer rights or 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.

The Complainant's LEATHERMAN trademark registrations substantially predate the registration of the disputed domain name. The disputed domain name incorporates the LEATHERMAN mark in its entirety, together with the word "store" which reinforces, rather than dispels, the impression that the disputed domain name is associated with an online store for the Complainant's goods.

The Panel finds that the Respondent's website was designed to pass itself off as the Complainant, displaying its mark and logo and purporting to offer LEATHERMAN-branded products for sale. By doing so, the Respondent intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's LEATHERMAN mark as to source, sponsorship, affiliation, or endorsement, within the meaning of paragraph 4(b)(iv) of the Policy. The website's login, registration, and checkout pages, through which users were prompted to submit personal data and payment information, and a Cloudflare "Suspected Phishing" warning, all point to the fraudulent nature of the Respondent's operation.

Panels have held that the use of a domain name for illegitimate activity, such as phishing or passing off as claimed in the present case, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <leatherman-store.com> be transferred to the Complainant.

/Francine Tan/

Francine Tan

Sole Panelist

Date: June 22, 2026