

ADMINISTRATIVE PANEL DECISION

Boll & Branch LLC v. niv daron, Personal
Case No. D2026-1966

1. The Parties

The Complainant is Boll & Branch LLC, United States of America (“United States”), represented by Keating Muething & Klekamp PLL, United States.

The Respondent is niv daron, Personal, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <bellandbranch.shop> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed 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 7, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 14, 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 14, 2026.

The Center verified that the Complaint together with the amendment to 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 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 9, 2026.

The Center appointed Federica Togo as the sole panelist in this matter on June 15, 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 undisputed allegations that it is an internationally known luxury textile business with a successful e-commerce website located at the domain name <bollandbranch.com>. It sells high-quality luxury bedding products and apparel, including robes and sleepwear.

Complainant uses the domain name <bollandbranch.com> for its official website advertising and promoting Boll & Branch-branded products, which are accessible for purchase on and through the website.

The Complainant is the registered owner of many trademarks consisting of or containing BOLL & BRANCH, e.g., United States trademark registration No. 4,769,218, registered on July 7, 2015, for goods in class 24.

The disputed domain name <bellandbranch.shop> was registered on March 20, 2026. Further, the undisputed evidence provided by the Complainant proves that the disputed domain name resolves to an inactive website, bringing up an error when clicked on by an Internet user.

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 Complainant's well-known mark. In particular, the disputed domain name is a misspelling of the Complainant's mark, in that it has replaced the "o" in BOLL & BRANCH with an "e," so as to cause confusion. The Complainant is the owner of the domain <bollandbranch.com>. The disputed domain name is nearly identical to this domain name, specifically "bollandbranch," and the replacement of the "o" with an "e" is clearly intentional and undoubtedly consists of "typosquatting".

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, it began acquiring rights in the marks in the United States in 2014 when it began selling products under the BOLL & BRANCH name. The date of the Complainant's first use, January 20, 2014, precedes the date on which the disputed domain name was registered, March 20, 2026. Additionally, neither Respondent, nor, upon information and belief, anyone affiliated with the Respondent, is commonly known by the name "Boll and Branch" and Respondent has not acquired any trademark or service mark rights in the name. Further, the Complainant has not authorized the Respondent, or anyone acting in concert with or at the direction of Respondent, to use the marks in the context of the disputed domain name or for any other reason. The disputed domain name takes you to an inactive, broken website, further suggesting the Respondent has no rights or legitimate interest in the disputed domain name.

Furthermore, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the Respondent knew or should have known of the Complainant's rights in the well-known marks prior to its registration of the disputed domain name. In addition, the Respondent is clearly typosquatting by replacing the "o" in the Complainant's legitimate website with an "e." It is "well-settled" that the practice of typosquatting is, of itself, evidence of the bad faith registration of a domain name.

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 the disputed domain name be transferred or cancelled:

- (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.

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

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 Panel finds the relevant mark BOLL & BRANCH is recognizable within the disputed domain name <bellandbranch.shop> even though the element “&” is replaced by the grammatical conjunction “and”, and the vowel “o” is replaced with the vowel “e”. Accordingly, the disputed domain name is 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 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 disputed domain name replaces the vowel "o" in the Complainant's trademark with the vowel "e" and as such is nearly identical to the domain name <bollandbranch.com> which resolves to the Complainant's official website and which the Complainant has been using since 2014. The Panel notes the Complainant's contention that the disputed domain name consists of a misspelling of its trademark which signals an intention on the part of the Respondent to confuse Internet users seeking or expecting the Complainant. It further notes that the disputed domain name is also a combination of dictionary terms; however, merely registering a domain name comprised of a dictionary word or phrase would not by itself automatically confer rights or legitimate interests on the respondent. Noting the absence of any explanation by the Respondent as to its selection of the disputed domain name, the choice of the generic Top-Level Domain ".shop" which may suggest a connection to the Complainant's sale efforts and the Complainant's long-standing use of its trademark and domain name, the Panel finds it more likely than not that the Respondent registered the disputed domain name with the Complainant's mark in mind.

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.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark (in this regard see also *Boll & Branch LLC v. Atlas xr*, WIPO Case No. [D2024-4030](#)) and the composition of the disputed domain name, and the absence of a response, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 <bllandbranch.shop> be transferred to the Complainant.

/Federica Togo/

Federica Togo

Sole Panelist

Date: June 29, 2026