

ADMINISTRATIVE PANEL DECISION

Boll & Branch LLC v. ABDELFATTAH BOUMGOUT

Case No. D2026-1968

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 ABDELFATTAH BOUMGOUT, United States.

2. The Domain Name and Registrar

The disputed domain name <bollandbranchco.com> is registered with Gname.com Pte. Ltd. (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 8, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that 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 8, 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 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 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 8, 2026.

The Center appointed Steven Auvil as the sole panelist in this matter on June 10, 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 luxury textile company founded in 2014, selling bedding and related products via its website at the domain name <bollandbranch.com>.

The Complainant owns multiple trademark registrations for BOLL & BRANCH, including:

- United States Trademark No. 4769218, registered July 7, 2015, United States Trademark No. 5585449, registered October 16, 2018, United States Trademark No. 7498960, registered September 10, 2024; and
- Canadian Trademark No. TMA998734 registered on June 11, 2018, and Canadian Trademark No. TMA1281413, registered on January 3, 2025.

The disputed domain name was registered on November 11, 2025. According to the Complaint, the domain resolves to a website copying elements of the Complainant's official website, displaying similar branding, logos, and product images, and purporting to sell similar goods.

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.

First, the Complainant contends that the disputed domain name is confusingly similar to its BOLL & BRANCH trademarks, incorporating the entirety of the BOLL & BRANCH word mark with the addition of "co". Second, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, as it is not authorized, not commonly known by the domain, and is using it for misleading commercial purposes. Finally, the Complainant contends that the disputed domain name was registered and is used in bad faith, including impersonation and attempting to attract users for commercial gain.

The Complainants request transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "[a] Panel shall 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 directs that the Complainants must prove each of the following to obtain relief:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have rights;

- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel is entitled to accept as true the allegations set forth in the Complaint (unless the evidence is clearly contradictory), and to derive reasonable inferences from the evidence presented.

Based on the foregoing guidance, the Panel makes the following findings and conclusions based on the allegations and evidence contained in the Complaint, and reasonable inferences drawn from the evidence presented.

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.

As set forth in [WIPO Overview 3.1](#), section 1.7, when the entirety of a mark is reproduced within the disputed domain name, or "at least a dominant feature of the relevant mark is recognizable in the domain name", the disputed domain name is deemed confusingly similar to the mark for the purposes of the Policy. Further, where the "relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise)" does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), section 1.8.

The Panel finds that the disputed domain name incorporates the BOLL & BRANCH mark and differs by replacing the ampersand with "and", and the inclusion of "co". The Panel finds that the mark is clearly recognizable within the disputed domain name and therefore the disputed domain name is confusingly similar to the Complainant's BOLL & BRANCH mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The Panel finds the addition of "co" 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.

Additionally, as set forth in section 1.11.1 of the [WIPO Overview 3.1](#), the applicable generic Top-Level Domain ("gTLD") (e.g., ".com" or ".org") is viewed as a standard registration requirement and as such is typically disregarded under the first element's confusing similarity test. As such, the use of ".com" gTLD in the disputed domain name has no bearing on the confusing similarity analysis.

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. Such circumstances include:

- (i) before any notice of the dispute, the Respondent used, or prepared to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services;
- (ii) the Respondent (as an individual, business, or other organization) is commonly known by the disputed domain name, even if the Respondent has acquired no trademark or service mark rights; or

(iii) the Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or tarnish the trademark or service mark at issue.

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 by demonstrating that the Respondent received no authorization to use the BOLL & BRACH mark and there is no evidence that the Respondent is commonly known by the disputed domain name. The Respondent has failed to rebut this showing and, indeed, 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.

Panels have held that the use of a domain name for illegitimate activity such as passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. Here, the record reflects that the Respondent has used the disputed domain name to offer similar goods, which is not a legitimate use.

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.

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.

In the present case, the Panel concludes that the Respondent registered and used the disputed domain name in bad faith based on the following evidence.

First, the disputed domain name incorporates the Complainant’s registered and well-known BOLL & BRANCH mark and appends a non-consequential term “co”.

Second, the Respondent likely knew of the Complainant’s marks given the confusing similarity between the BOLL & BRANCH mark and disputed domain name.

Third, the disputed domain name resolves to a website that imitates the Complainant’s official site, including logos and product offerings. Under the circumstances, the Panel infers that the Respondent intended to attract Internet users for commercial gain by creating confusion, consistent with paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.1](#), section 3.4.

The Panel therefore finds that the disputed domain name was registered and is being used in bad faith and 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 <bollandbranchco.com> be transferred to the Complainant.

/Steven Auvil/

Steven Auvil

Sole Panelist

Date: June 24, 2026