

## **ADMINISTRATIVE PANEL DECISION**

COATS & CLARK INC. v. Dynadot Privacy Service, Dynadot, LLC  
Case No. D2026-2085

### **1. The Parties**

The Complainant is COATS & CLARK INC., United States of America ("United States"), represented by Gowling WLG (Canada) LLP, Canada.

The Respondent is Dynadot Privacy Service, Dynadot, LLC, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <redheartes.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 14, 2026. On May 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 24, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 28, 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 July 1, 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 June 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 26, 2026.

The Center appointed Nels T. Lippert as the sole panelist in this matter on July 2, 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 United States corporation, located in Charlotte, North Carolina. The Complainant is the owner of a portfolio of registered trademarks consisting of or comprising its RED HEART trademark for various types of yarn, knitting products, sewing products and other craft-related goods and services. The Complainant is the owner of the following representative United States and Canadian trademark registrations for the RED HEART trademark in standard character form and with a design:

- United States Registration No. 1,315,907 registered on January 22, 1985;
- United States Registration No. 5,367,014 registered on January 2, 2018;
- Canadian Registration No. TMA107361 registered on July 19, 1957; and
- Canadian Registration No. TMA1047000 registered on August 6, 2019.

The RED HEART brand of yarn traces back to 1936. In 2019, the North American business of the Complainant was acquired by Spinrite Inc., a Canadian craft company. Spinrite Inc. was founded in 1952 and is a leading developer, manufacturer and marketer of craft knitting yarns and consumer sewing threads.

From at least 2008 until the 2019 acquisition of the Complainant's business by Spinrite Inc., the domain name <redheart.com> was used by the Complainant to host a website and online store for the RED HEART brand of products. Since 2019, the <redheart.com> website has been used to redirect Internet users seeking the Complainant's RED HEART brand of products to <yarnspirations.com> which resolves to a website operated by Spinrite Inc. where the RED HEART brand of products are currently advertised and sold online.

The disputed domain name was registered on March 23, 2026. At the time of filing the Complaint, the disputed domain name resolved to a website featuring images of yarn products, pricing for those products along with the RED HEART trademarks associated with those products. That website also included links to <amazon.com> where RED HEART branded products were available for sale, with a footer that read "Redheartes.com participates in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to Amazon.com".

The Respondent appears to be a limited liability company which registered the disputed domain name using a privacy protection service.

#### **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 RED HEART trademark because it merely adds an "es" to "heart" in the disputed domain name.

The Complainant further alleges that the disputed domain name resolved to a fake website that misuses the Complainant's trademarks and impersonates the Complainant. The Complainant additionally contends that the Respondent's fake website provides contact information with a telephone number, mailing address and

email address which are not the Complainant's. The Complainant also notes that the Respondent's fake website includes links to <amazon.com> where RED HEART branded products are available for sale, and by redirecting Internet users to these links, the Respondent derives revenue from the Amazon Associates referral program.

The Complainant additionally alleges that there has never been any relationship between the Complainant and the Respondent and the Respondent is not licensed or otherwise authorized to use the RED HEART trademarks in any manner. The Complainant asserts that the Respondent's use of the disputed domain name does not constitute a legitimate, noncommercial or fair use of the disputed domain name, but rather is used to divert Internet traffic to a fake website for the purpose of earning referral fees. Thus, the Complainant asserts that the Respondent registered and used the disputed domain name for the purpose of disrupting the business of the Complainant.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions

## **6. Discussion and Findings**

As noted above, the Respondent did not respond to the Complainant's contentions. Under the Rules, paragraphs 5(f) and 14(a), the effect of a default by the Respondent is that, in the absence of exceptional circumstances, the Panel shall proceed to a decision on the basis of the Complaint. The Panel does not find any exceptional circumstance in this case.

Paragraph 4(a) of the Policy provides that in order to divest a respondent of a domain name, a complainant must demonstrate each of the following:

- (i) the 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 the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

Under 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".

In this case, the Panel finds that as a result of the Respondent's failure to submit a Response, the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant. By failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in paragraph 4(c) of the Policy or otherwise, from which the Panel might conclude that the Respondent has any rights or legitimate interests in the disputed domain name.

Moreover, the Respondent failed to provide any information or reasoning that might rebut the Complainant's arguments that the Respondent has acted 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 Panel finds the mark is 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. A domain name which consists of a variation of a trademark such as the misspelling in the disputed domain name is considered to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.1](#), section 1.9.

Furthermore, it is well established that the applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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 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 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 Complainant has submitted un rebutted evidence that the Respondent registered and used the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark. The Panel finds that such evidence establishes bad faith under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.1](#), section 3.1.4. The fact that the disputed domain name resolved to a website which impersonated the Complainant and that used the Complainant’s trademark, to divert Internet users to the Amazon website, is conclusive evidence that the registration and use of the disputed domain name was in bad faith.

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 <redheartes.com> be transferred to the Complainant.

*/Nels T. Lippert/*

**Nels T. Lippert**

Sole Panelist

Date: July 16, 2026