

## **ADMINISTRATIVE PANEL DECISION**

Glen Raven, Inc. v. he jxing  
Case No. D2026-2139

### **1. The Parties**

The Complainant is Glen Raven, Inc., United States of America ("US"), represented by Wiley Rein LLP, US.

The Respondent is he jxing, China.

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

The disputed domain name <sunbrellaus.com> is registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 18, 2026. On May 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 20, 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 (DT)) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 20, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant confirmed on May 28, 2026, that it did not intend to amend the Complaint's merit of the case.

The Center verified that 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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 19, 2026.

The Center appointed Tommaso La Scala as the sole panelist in this matter on June 23, 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 in this administrative proceeding is Glen Raven, Inc., a US corporation founded in 1880 and a leading manufacturer of fabrics, both by the piece and incorporated into finished products. The Complainant has a global presence, with offices and/or manufacturing facilities located in the US, South America, Europe, Africa, and Asia.

The Complainant began using the SUNBRELLA mark several decades ago to market a line of durable performance fabrics and it has registered many trademarks consisting of such wording since then. The Complainant has used SUNBRELLA continuously since the early '60s, with an expanding array of goods, including durable fabrics by the piece, finished fabric products such as bags and clothing, and ancillary products such as fabric cleaners. These products are offered and promoted through the Complainant's official website at <sunbrella.com>, which according to the Complaint has been in continuous use since 1998.

The Complainant owns several trademark registrations for SUNBRELLA in over one hundred countries throughout the Americas, Europe, and Asia, including – as a mere example – the US Registration No. 709,110 SUNBRELLA (word), registered on December 27, 1960, for “fabrics for awnings, furniture, handbags and sportswear” and duly renewed in the past years.

The disputed domain name was registered on April 28, 2026 and it resolves to a website named “SUNBRELLA B2B”, which refers to itself as “Sunbrella”, purports to offer “Outdoor, Awning & Marine Fabric” and “Upholstery & Drapery Fabric”, and invites users to contact the website operator through the email address “[...]@sunbrellaus.com” and a US telephone number.

The Complainant affirms that it has no affiliation with the Respondent, and that it has never authorized the Respondent to use its SUNBRELLA mark or to register a domain name incorporating that mark.

#### **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:

- (a) the disputed domain name is confusingly similar to the Complainant's SUNBRELLA trademarks, as it reproduces the SUNBRELLA mark in its entirety, with the mere addition of the geographic abbreviation “US” and the generic Top-Level Domain “.com”;
- (b) the Respondent lacks any rights or legitimate interests in the disputed domain name, since the Respondent is not known by the disputed domain name, has not been authorized by the Complainant to use the SUNBRELLA mark, and is using the disputed domain name to pass itself off as the Complainant or as a source of SUNBRELLA products; and
- (c) the Respondent registered and is using the disputed domain name in bad faith, namely to intentionally attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's SUNBRELLA mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 established rights in the SUNBRELLA trademark.

The disputed domain name consists of the SUNBRELLA trademark with the sole addition of the term "US", which is commonly understood as referring to the United States of America, and the generic Top-Level Domain ".com". The Complainant's SUNBRELLA mark is clearly recognizable within the disputed domain name. The addition of the term "US" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

Therefore, the Panel finds the disputed domain name to be confusingly similar to the SUNBRELLA trademark in which the Complainant has rights. Accordingly, 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 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.

This Panel finds that the Complainant has made a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name. The Respondent does not appear to be commonly known by the name "Sunbrella" nor "SunbrellaUS", and there is no evidence in the record that the Respondent has acquired any trademark or service mark rights in such terms. The Respondent has no connection to or affiliation with the Complainant, and the Complainant has not licensed or otherwise authorized the Respondent to use or register any domain name incorporating the Complainant's SUNBRELLA trademark.

The Respondent's use of the disputed domain name does not amount to a legitimate noncommercial or fair use, nor to any use in connection with a bona fide offering of goods or services. Rather, the disputed domain name resolves to a website that prominently uses the SUNBRELLA mark, refers to itself as "SUNBRELLA B2B", purports to provide information and commercial routing for the same types of fabric products offered by the Complainant under the SUNBRELLA mark, and invites users to contact "[...][@sunbrella.us](mailto:info@sunbrella.us)". In the

Panel's view, such use carries a clear risk of implied affiliation and is apt to mislead Internet users into believing that the website is operated, sponsored, or endorsed by the Complainant.

Panels have held that the use of a domain name for illegitimate activity, including passing off or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Having reviewed the available record and considering that 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, 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 disputed domain name was registered on April 28, 2026, many decades after the Complainant first used and registered the SUNBRELLA mark. The Complainant's mark has been used for more than 60 years and is distinctive. In addition, the Respondent's website uses the SUNBRELLA mark repeatedly, identifies itself as "SUNBRELLA B2B", and purports to offer or route inquiries for categories of goods overlapping with those offered by the Complainant under the SUNBRELLA mark. These circumstances show that the Respondent knew of the Complainant and its trademark when registering the disputed domain name.

The Panel finds that the Respondent has purposely registered and used the disputed domain name to attempt to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's SUNBRELLA mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. The addition of the term "US" does not avoid this conclusion; on the contrary, in the circumstances of this case, it may reinforce the impression that the disputed domain name is connected with the Complainant's operations in the US, where the Complainant is based.

The Respondent's conduct therefore falls within paragraph 4(b)(iv) of the Policy. The Panel further notes that the use of the disputed domain name for a website seeking to pass itself off as being connected with the Complainant constitutes disruptive and misleading conduct and supports a finding of bad faith registration and use under the Policy.

The Panel finds the third element of the Policy has been established.

## **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 <sunbrellaus.com> be transferred to the Complainant.

*/Tommaso La Scala/*

**Tommaso La Scala**

Sole Panelist

Date: July 7, 2026