ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Van Boeckel Beheer B.V. v. Samuel Chavez
Case No. D2026-2299

1. The Parties

The Complainant is Van Boeckel Beheer B.V., Netherlands (Kingdom of the), represented by LegalMatters.com B.V., Netherlands (Kingdom of the).

The Respondent is Samuel Chavez, United States of America.

2. The Domain Name and Registrar

The disputed domain name <hubfootwearonline.shop> 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 28, 2026. On May 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 30, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 1, 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 June 2, 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 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 24, 2026.

The Center appointed Francine Tan as the sole panelist in this matter on June 30, 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, Van Boeckel Beheer B.V., is a company based in the Netherlands (Kingdom of the). The Complainant is the owner of the HUB brand, which was founded in 2004 by former tennis professional, Huub van Boeckel. The HUB brand is used in connection with footwear and apparel.

The Complainant owns trade mark registrations for HUB, including the following:

- HUB, registered under Benelux Registration No. 754382 on September 10, 2004;
- HUB (figurative), registered under Benelux Registration No. 963347 on December 18, 2014;
- HUB, registered under International Registration No. 840146 on October 25, 2004; and
- HUB (figurative), registered under International Registration No. 1249516 on February 3, 2015.

The Complainant operates its official website at the domain name <hubfootwear.com>.

The disputed domain name was registered on May 16, 2026. At the time of filing the Complaint, the disputed domain name resolved to a website prominently displaying the HUB word and figurative marks and offering for sale footwear bearing the Complainant's logo. The Respondent's website included references such as "Dutch-designed sneakers", "Explore the HUB Collection", "New Arrivals", and product listings for HUB-style shoes at discounted prices. The Respondent's website appears to have copied or closely imitated aspects of the Complainant's official website and branding.

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 the following:

(i) The disputed domain name is identical or confusingly similar to the Complainant's HUB trade mark, as it incorporates the HUB word mark in its entirety, with the additional terms "footwear" and "online" which are descriptive. The generic Top-Level Domain ("gTLD") ".shop" is merely a domain extension and descriptive in nature.

(ii) The Respondent has no rights or legitimate interests in the disputed domain name, as the Respondent is not commonly known by the disputed domain name, and has not been authorized by the Complainant to use the HUB trade mark. Further, the Respondent is not using the disputed domain name with a bona fide intent and is not making legitimate noncommercial or fair use of the disputed domain name.

(iii) The disputed domain name was registered and is being used in bad faith. The Respondent has used the disputed domain name and corresponding website to impersonate the Complainant. The Respondent reproduced the HUB trade mark on its website, presented itself as the owner or operator of the

HUB brand and products, and copied the look and feel of the Complainant's official website, including the Complainant's distinctive orange device/logo. The Respondent's intention was to mislead Internet users into believing that the website was operated, authorized, licensed, or otherwise connected with the Complainant, for commercial gain. Such conduct harms both the Complainant and consumers.

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 trade mark 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 the HUB trade mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the HUB mark is reproduced at the beginning of the disputed domain name. The addition of the terms "footwear" and "online" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's mark. WIPO Overview 3.1, section 1.8.

The gTLD ".shop" is disregarded in the confusing similarity assessment. WIPO Overview 3.1, section 1.11.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's HUB mark, and that 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.

Further, the evidence shows that the disputed domain name was used for a website displaying the Complainant's HUB mark and logo, offering footwear, and imitating the Complainant's official website. Such use is not a bona fide offering of goods or services. Panels have held that the use of a domain name for illegitimate activity, such as 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

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 trade mark registrations long predate the registration of the disputed domain name. The composition of the disputed domain name, incorporating the HUB mark together with the terms "footwear" and "online", and the content of the associated website, which reproduced the Complainant's branding, logo, and product range, demonstrate that the Respondent knew of and specifically targeted the Complainant and its HUB marks at the time of registration. WIPO Overview 3.1, section 3.2.1.

The Panel finds that the Respondent intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or of goods offered on it.

This constitutes evidence of registration and use in bad faith under paragraph 4(b)(iv) of the Policy. Panels have also held that the use of a domain name for illegitimate or illegal activity, including passing off, or other types of fraud, constitutes bad faith. WIPO Overview 3.1, section 3.4.

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 <hubfootwearonline.shop> be transferred to the Complainant.

/Francine Tan/
Francine Tan
Sole Panelist
Date: July 14, 2026