

ADMINISTRATIVE PANEL DECISION

Johnson Outdoors Marine Electronics, Inc. v. David Lange, Lange
Enterprizes
Case No. D2026-2607

1. The Parties

The Complainant is Johnson Outdoors Marine Electronics, Inc., United States of America ("U.S."), represented by Reinhart Boerner Van Deuren s.c., U.S.

The Respondent is David Lange, Lange Enterprizes, U.S.

2. The Domain Name and Registrar

The disputed domain name <minnkotafishing.com> (the "Disputed Domain Name") is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 15, 2026. On June 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed Domain Name. On June 16, 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 (David Lange) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 22, 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 23, 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 15, 2026.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on July 16, 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 states that it, “and its related entities, are well-known worldwide for producing a variety of high quality outdoor recreational products, including fishing goods such as electric fishing motors for propelling watercraft, electric fishing motor parts, anchors, marine batteries, battery chargers, battery meters, battery brushes, battery terminal clamps, watercrafts, fishing gear, and for goods related to diving equipment, water sports equipment, dive clothing, watersports clothing, outdoor clothing, and camping gear”.

Complainant further states that it “has provided services to numerous customers in the U.S. and around the globe”, and that it owns 115 registrations, many of which consist of or include the text “MINN KOTA”, including the following, for which Complainant provided relevant documentation:

- U.S. Reg. No. 1,487,402 (registered May 10, 1988) for use in connection with “electric fishing motors and parts thereof”
- U.S. Reg. No. 1,974,046 (registered May 14, 1996) for use in connection with “marine batteries, battery chargers, battery meters, [battery brushes], and battery terminal clamps”
- U.S. Reg. No. 5,504,809 (registered June 26, 2018) for use in connection with, inter alia, “electric fishing boat motors and parts thereof”

These registrations are referred to herein as the “MINN KOTA Trademark.”

The oldest of these registrations, U.S. Reg. No. 1,487,402, claims a date of first use in commerce of 1932.¹

The Disputed Domain Name was created on September 29, 2011. The Complaint states that “[t]he Disputed Domain Name resolves to a blank page and lacks content”. Although the Complaint does not include a screenshot or other documentation to support this statement, the Respondent has not filed a Response to dispute this, and the Panel was unable to identify a website connected to the Disputed Domain Name on July 20, 2026.²

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 MINN KOTA Trademark because, inter alia, the Disputed Domain Name incorporates the trademark in its entirety and “[t]he addition of the generic term ‘FISHING.COM’ does nothing to distinguish the Disputed Domain Name or prevent confusion”.

¹ Although the Complaint states the date of first use in commerce was December 1931, the registration certificate provided as an annex to the Complaint provides the date as “0-0-1932.”

² “Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party’s contention.... This may include visiting the website linked to the disputed domain name in order to obtain more information about the respondent or its use of the domain name...” WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8.

- The Respondent has no rights or legitimate interests in the Disputed Domain Name because, inter alia, “Complainant has not authorized Respondent’s use of Complainant’s MINN KOTA [Trademark]”; “Respondent is not known by the name MINN KOTA”; “Respondent’s use and registration of the Disputed Domain Name does not constitute a legitimate noncommercial or fair use of the Disputed Domain Name” because “Respondent uses the Disputed Domain Name in an attempt to pass itself off as Complainant by incorporating MINN KOTA into the Disputed Domain Name along with use of FISHING which is closely associated with the goods of Complainant’s trademarks”; and the blank page associated with the Disputed Domain Name “does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use”.
- The Disputed Domain Name was registered and is being used in bad faith because, inter alia, “Respondent is using the Disputed Domain Name to confuse consumers looking for Complainant’s legitimate website”; “[r]egistering a domain name after complainant establishes trademark rights or a similar domain name evidences bad faith”; and “Respondent’s incorporation of the entirety of Respondent’s trademark MINN KOTA and then adding the term FISHING evidences that Respondent had knowledge of Complainant’s trademarks, and that Respondent is utilizing the Disputed Domain Name <MinnKotaFishing.com> to profit off Complainant’s MINN KOTA Trademarks, and the brand recognition and consumer goodwill that Complainant has cultivated for its MINN KOTA Trademarks”.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registrations cited by the Complainant, it is apparent that the Complainant has rights in and to the MINN KOTA Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the MINN KOTA Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., “minnkotafishing”) because “[t]he applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) 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.

As set forth in section 1.7 of [WIPO Overview 3.1](#), “in cases where a domain name incorporates the entirety of a trademark,... the domain name will normally be considered confusingly similar to that mark”. Further, as set forth in section 1.8 of [WIPO Overview 3.1](#), “[w]here the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element”. Here, the Disputed Domain Name contains the entirety of the MINN KOTA Trademark, and the addition of the word “fishing” does not prevent a finding of confusing similarity.

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

B. Rights or Legitimate Interests

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “Complainant has not authorized Respondent’s use of Complainant’s MINN KOTA [Trademark]”; “Respondent is not known by the name MINN KOTA”; “Respondent’s use and registration of the Disputed Domain Name does not constitute a legitimate noncommercial or fair use of the Disputed Domain Name” because “Respondent uses the Disputed Domain Name in an attempt to pass itself off as Complainant by incorporating MINN KOTA into the Disputed Domain

Name along with use of FISHING which is closely associated with the goods of Complainant's trademarks"; and the blank page associated with the Disputed Domain Name "does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use".

[WIPO Overview 3.1](#), section 2.1, states: "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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that the Complainant has established its prima facie case and without any evidence from the Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location. Policy, paragraph 4(b).

Initially, the Panel notes that, as set forth in section 3.1.4 of [WIPO Overview 3.1](#): "Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names... incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith." Here, the MINN KOTA Trademark is well-known by virtue of its use for about 94 years (including for 79 years prior to registration of the Disputed Domain Name), and its inclusion in the Disputed Domain Name along with the word "fishing", which describes (or, at least, is associated with) the MINN KOTA Trademark is significant. See also, section 1.8 of [WIPO Overview 3.1](#) (descriptive words in a domain name in addition to a complainant's trademark "may... bear on assessment of the second and third elements").

Further, as set forth in [WIPO Overview 3.1](#), section 3.3 (citing *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)):

From the inception of the UDRP, panelists 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, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy.

Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking

active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement).

Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa.

Here, the MINN KOTA Trademark appears to be distinctive and appears to have a high degree of reputation given that it is protected by 115 registrations in numerous countries or jurisdictions, the oldest of which was registered 38 years ago (including almost 23 years prior to registration of the Disputed Domain Name). Further, Respondent did not submit a response or provide any evidence of actual or contemplated good-faith use.

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 <minnkotafishing.com> be transferred to the Complainant.

/Douglas M. Isenberg/

Douglas M. Isenberg

Sole Panelist

Date: July 20, 2026