

ADMINISTRATIVE Panel DECISION

Raising Cane's USA, LLC v. Abigail Becerra
Case No. D2026-2734

1. The Parties

Complainant is Raising Cane's USA, LLC, United States of America ("United States"), represented by Kelley Drye & Warren LLP, United States.

Respondent is Abigail Becerra, United States.

2. The Domain Name and Registrar

The disputed domain name <cacanesrestaurants.org> ("hereinafter "Disputed Domain Name") is registered with IONOS SE (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 23, 2026. On June 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 25, 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 (REGISTRATION PRIVATE) and contact information in the Complaint. The Center sent an email communication to Complainant on June 26, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. 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 Respondent of the Complaint, and the proceedings commenced on July 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 22, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on July 23, 2026.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on July 27, 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

Complainant, based in Plano Texas, has used the trademarks CANE's (hereinafter the "Mark") and RAISING CANE'S since 1996 in connection with quick service restaurants and related food.

Complainant owns trademark registrations for the Mark including United States registration No. 6,383,501 (registered June 15, 2021).

Complainant operates restaurants in more than 1000 locations in 42 states within the United States and six countries outside the United States.

Complainant promotes its business on its website at the domain name <raisingcanes.com> and via social media platforms including Instagram and TikTok where Complainant has nearly five million followers.

The Disputed Domain Name, which was registered on October 23, 2025, resolves to a Registrar parked page. When Respondent registered the Disputed Domain Name, Respondent gave an address in Las Vegas, Nevada, where Complainant operates twenty restaurants, according to the "Finding a RAISING CANE's Location" feature on Complainant's website.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not respond to the Complaint.

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 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.

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 reproduced and recognizable within the Disputed Domain Name. The addition of "ca" before "canes" does not prevent finding confusion under the Policy. Accordingly, the Disputed Domain Name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

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 Respondent may demonstrate rights or legitimate interests in a Disputed Domain Name.

Although the overall burden of proof in UDRP proceedings is on 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 respondent. As such, where a complainant makes out a prima facie case that respondent lacks rights or legitimate interests, the burden of production on this element shifts to 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 respondent fails to come forward with such relevant evidence, complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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 notes the composition of the Disputed Domain Name. Neither “Cacane” nor “Cacanes” is a defined word or surname in English.¹ Given that the word “restaurant” follows “canes”, the Panel finds that it is more likely than not that Respondent include “canes” in the Disputed Domain Name as reference to Complainant’s Mark.

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.

The Panel finds that Respondent registered the Disputed Domain Name in bad faith. Complainant has offered sufficient evidence to conclude that Respondent was more likely than not aware of the Mark when she registered the Disputed Domain Name. The inclusion of “restaurants” indicates that Respondent was targeting Complainant’s CANES Mark. There is no plausible explanation for the addition of “ca” that would support finding a good faith purpose for the registration.

Panels have found that the non-use of a domain name 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, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant’s trademark, and the composition of the Disputed

¹In Poland, where the “cacane” translates to English as “cute”¹ (see <https://mamaowl.net/en-us/pages/cacane> visited August 9, 2026) or “delightful”¹ (based on Google translation), CACANE is also an established brand for children’s clothing. See <https://cacane.pl/en> visited August 9, 2026. The Panel considers the Polish usage of “cacane” interesting, but irrelevant because Respondent resides in the United States and the English word “restaurants” follows “cacanes.”

Domain Name, and finds that in the circumstances of this case the passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy.

The Panel finds that 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 <cacanesrestaurants.org> be transferred to Complainant

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: August 11, 2026