

ADMINISTRATIVE PANEL DECISION

Stanley Black & Decker, Inc. v. mao kaixuan
Case No. D2026-2998

1. The Parties

Complainant is Stanley Black & Decker, Inc., United States of America (“United States”), represented by Dehns, United Kingdom.

Respondent is mao kaixuan, China.

2. The Domain Name and Registrar

The disputed domain name <yard-machines.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 8, 2026. On July 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 8, 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 (TUCOWS.COM, CO.) and contact information in the Complaint. The Center sent an email communication to Complainant on July 10, 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 15, 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 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on August 21, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on September 3, 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 is a company organized under the laws of the United States that is active in the power tools, hand tools, tool accessories and engineered fastening systems industry.

Complainant has provided evidence that it is the parent company of the Stanley Black & Decker group of companies, and – through its wholly-owned subsidiaries (MTD Products Inc.) – is the registered owner of various trademarks relating to its YARD MACHINES brand, inter alia, but not limited to, the following:

- word trademark YARD MACHINES, United States Patent and Trademark Office (USPTO), registration number: 2898478, registration date: November 2, 2004, status: active;
- word trademark YARD MACHINES, Intellectual Property (IP) Australia, registration number: 1105804, registration date: March 27, 2006: active.

Respondent, according to the disclosed Registrar verification, is located in China. The disputed domain name was registered on October 15, 2024; it resolves to a website at “www.yard-machines.com” which pretends to offer for online sale YARD MACHINES products, thereby prominently displaying Complainant’s YARD MACHINES trademark and official logo and purporting to be Complainant, while using apparently invalid contact information.

Complainant requests that the disputed domain name be transferred to Complainant.

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. Notably, Complainant contends that it started using the YARD MACHINES trademark in the United States back in 1991, and that due to extensive use ever since such trademark meanwhile claims acquired distinctiveness.

Complainant submits that the disputed domain name is identical to Complainant’s YARD MACHINES trademark as it incorporates the latter in its entirety with the only addition of a hyphen. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Respondent is not and has never been connected to either Complainant or to the YARD MACHINES trademark, and Respondent is not licensed or permitted to use such trademark, (2) Complainant is not aware of any trading entity, other than its own business, that is commonly known as YARD MACHINES, (3) the website under the disputed domain name neither displays meaningful contact details nor does it contain social media icons with valid hyperlinks to any social media pages on the corresponding platforms, and (4) despite YARD MACHINES branded products being listed/featured on such website, there does not appear to be any means of purchasing these goods. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the disputed domain name is identical to Complainant’s YARD MACHINES trademark, and (2) the nature of the content on the website to which the disputed domain name resolves, including Complainant’s YARD MACHINES trademark and official logo, allows to draw the inference that Respondent knew of Complainant’s business when it registered the disputed domain name and that it did so for the purpose of intentionally targeting Complainant for commercial gain.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

A. Identical or Confusingly Similar

First, 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 YARD MACHINES 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 its YARD MACHINES trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, simply added by a hyphen. Accordingly, the disputed domain name is at least confusingly similar, if not almost identical to Complainant's YARD MACHINES trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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

B. Rights or Legitimate Interests

Second, 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 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.

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.

In particular, Respondent has not been authorized to use Complainant's undisputedly well-reputed YARD MACHINES trademark, either as a domain name or in any other way. Also, there is no reason to believe that Respondent's name somehow corresponds with the disputed domain name, and Respondent does not appear to have any trademark rights associated with the terms "yard" and/or "machines" on its own. To the contrary, the disputed domain name resolves to a website at "www.yard-machines.com" which pretends to offer for online sale YARD MACHINES products, thereby prominently displaying Complainant's YARD MACHINES trademark and official logo and purporting to be Complainant, while using apparently invalid contact information. In this context, UDRP panels have categorically held that the use of a domain name for illegitimate/illegal activity (e.g., impersonation/copycat sites) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), sections 2.5 and 2.13.1.

The Panel, therefore, finds the second element of the Policy has been established, too.

C. Registered and Used in Bad Faith

Third, 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 circumstances of this case leave no doubt that Respondent was fully aware of Complainant's rights in its undisputedly well-reputed YARD MACHINES trademark when registering the disputed domain name and that the latter is clearly directed thereto. Moreover, using the disputed domain name, which is at least confusingly similar to Complainant's YARD MACHINES trademark, to run a website which pretends to offer for online sale YARD MACHINES products, thereby prominently displaying Complainant's YARD MACHINES trademark and official logo and purporting to be Complainant, while using apparently invalid contact information, is a clear indication that Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with Complainant's YARD MACHINES trademark as to the source, sponsorship, affiliation or endorsement of Respondent's website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. In addition, UDRP panels have long held that the use of a domain name for illegitimate/illegal activity (here, impersonation/copycat sites) constitutes bad faith. [WIPO Overview 3.1](#), section 3.1.4.

The Panel, therefore, finds that Complainant has established the third element of the Policy, too.

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, <yard-machines.com>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: September 17, 2026