

ADMINISTRATIVE PANEL DECISION

Kelly Wearstler, LLLP v. Name Redacted
Case No. D2026-3304

1. The Parties

The Complainant is Kelly Wearstler, LLLP, United States of America ("United States"), represented by Neal, Gerber & Eisenberg LLP, United States.

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <kwidhome.com> is registered with West263 International Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 24, 2026. On July 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 28, 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 ("West263 International Limited") and contact information in the Complaint. The Center sent an email communication to the Complainant on July 29, 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 amended Complaint on August 1, 2026.

¹ The underlying registrant of the disputed domain name appears to have used the name and contact details of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the name of this registrant from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the concerned Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the concerned Registrar as part of the order in these proceedings, and has indicated that Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 the Respondent of the Complaint, and the proceedings commenced on August 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 1, 2026. The Center received an email communication from a third party on August 27, 2026, apparently claiming identity theft.

The Center appointed Dennis A. Foster as the sole panelist in this matter on September 9, 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 is a United States entity that traces its origins to 1995 that specializes in interior design and related furnishings. The Complainant conducts much of its business through Internet marketing and sales, and is active internationally. Its main website is located at the domain name <kellywearstler.com>, and it also owns the domain name <kwid.com>, which redirects back to <kellywearstler.com>. The Complainant is active on social media platforms such as Facebook and Instagram, and is notably covered in publications such as Vogue and The New Yorker.

In conjunction with its interior design and furnishings business, the Complainant uses the trademarks KELLY WEARSTLER and the acronym KWID (which stands for Kelly Wearstler Interior Design) as in its HOUSE OF KWID trademark. In this regard, the Complainant owns the Canadian trademark HOUSE OF KWID, Registration No.: TMA737911; registration date: April 9, 2009; international classes: 24 for upholstery fabrics, and fabrics for use in the manufacture of indoor coverings for furniture, and international class 27 for carpets, rugs, and wallpaper.

The disputed domain name, <kwidhome.com>, was registered on October 3, 2025. The Registrar identified a redacted individual as the registrant of the disputed domain name, but that individual has denied any involvement, which suggests possible identity theft.

The disputed domain name has in the past resolved to a website copied from the Complainant’s own website, and that purported to offer the same products as the Complainant, but at far lower prices.

On June 20, 2026, the Complainant contacted the Respondent, through the Registrar, with a cease-and-desist letter that set forth Complainant’s pre-existing trademark rights in the disputed domain name. The Registrar then suspended use of the Respondent’s website at the disputed domain name on June 21, 2026.

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 per the below.

The disputed domain name is identical or confusingly similar to a common trademarked acronym for the Complainant's business, i.e., KWID. KWID is the dominant part of the Complainant's HOUSE OF KWID trademark. The use of a trademark with a common term like "home" does not avoid the likelihood of confusion.

The Respondent does not have a license to use the Complainant's trademark. The use of the disputed domain name for illegal activity, e.g., the sale of counterfeit goods, cannot confer rights or legitimate interests on the Respondent.

The Respondent registered and has used the disputed domain name in bad faith by creating a fraudulent website that purports to offer for sale the Complainant's goods at steeply reduced prices. The Respondent used the Complainant's trademark, logos and copyrighted images and descriptions at the fraudulent website of the disputed domain name.

The Respondent's use of false registrant contact information to register the disputed domain name also is evidence of bad faith registration and use of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions. The Center received an email communication from a third party on August 27, 2026, claiming that "I do not own this domain, I don't recognize it, and I don't recognize the email addresses associated with it" and "I don't understand how my home address and phone came to be associated with this case".

6. Discussion and Findings

Pursuant to Policy paragraphs 4(a)(i), (ii), and (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain name, if the Complainant shows that:

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

The Language of these Proceedings

The Complainant expressed concern that the language of these proceedings might be Chinese. The Panel notes that the Registrar confirmed that the language of the disputed domain name Registration Agreement is English. Therefore, pursuant to paragraph 11(a) of the Rules, the language of the proceedings should be English. Further, the Panel notes that the Respondent ran its business at the disputed domain name website in English.

A. Identical or Confusingly Similar

The Complainant's first burden of proof under Policy paragraph 4(a)(i) is to show that it has trademark rights sufficient to have standing to initiate these proceedings. In this regard, the Complainant has shown that it has registered trademark rights in HOUSE OF KWID that the Panel finds is sufficient for these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.2.1.

The Panel observes that in the disputed domain name the Respondent has dropped one descriptive phrase, i.e., “house of”, and added another descriptive word, i.e., “home” to the Complainant’s trademark to create the disputed domain name. The Panel finds the acronym KWID, the dominant part of the Complainant’s mark, is recognizable in the disputed domain name. The Panel thus finds the disputed domain name is confusingly similar to the Complainant’s trademark. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

The Panel therefore finds that the Complainant has dispatched its burden of proof under Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

The next burden of proof for the Complainant in these proceedings is to show that the Respondent has no rights or legitimate interests in the disputed domain name per Policy paragraph 4(a)(ii). In this regard, the Policy consensus is that it is at first sufficient that the Complainant make out a prima facie case. Then, owing to the fact that it is often difficult to prove a negative, the burden of production shifts to the Respondent to come forward and rebut the Complainant’s prima facie case, although the overall burden of proof remains on the Complainant. If the Respondent does not do so, the Complainant’s prima facie case prevails. [WIPO Overview 3.1](#), section 2.1.

In the case at hand, the Complainant contends the Respondent has no license or permission to use its trademark, logos or copyrighted images at the Respondent’s disputed domain name website. The Complainant also has shown that the Respondent attempts to pass off as the Complainant and purports to sell the same goods as the Complainant but at steeply discounted prices. The Panel finds this is a substantial prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name. [WIPO Overview 3.1](#), section 2.13.1.

The Respondent is in default in these proceedings, and thus has chosen not to come forward and avail itself of the options available at Policy paragraph 4(c) to show that it does have rights or legitimate interests in the disputed domain name. Therefore, the Panel finds that the Complainant’s prima facie case prevails, and that the Complainant has carried its burden of proof per Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

The third and last burden of proof for the Complainant in these proceedings is to show that the Respondent registered and is using the disputed domain name in bad faith per Policy paragraph 4(a)(iii).

Paragraph 4(b) of the Policy sets out four non-exhaustive circumstances that may indicate that a Respondent registered and is using a disputed domain name in bad faith. In the present case, the Respondent certainly has infringed Policy paragraph 4(b)(iv) because it has registered a domain name confusingly similar to the Complainant’s trademark for financial gain. It is obvious the Respondent had the Complainant in mind when it created the disputed domain name <kwidhome.com> because it crafted a domain name both confusingly similar to the Complainant’s trademark and suggestive of the interior design and furnishings business in which the Complainant specialized. The Respondent was setting itself up to copy the essentials of the Complainant’s website and then purport to offer for sale the same goods.

The Respondent also used the disputed domain name in bad faith when it began purporting to offer some of the same goods as the Complainant at steeply reduced prices. The Respondent may have been committing passing-off of counterfeit goods, or fraud by taking in money for goods that the Respondent was not capable of delivering and indeed never intended to deliver. In any case, these acts are also evidence of bad faith under the Policy. [WIPO Overview 3.1](#), section 3.4.

Finally, the Respondent registered and has used the disputed domain name in bad faith by stealing the identity of a third party who was unaware of the Respondent's bad faith scheme to use that party's identity to commit passing-off and perhaps even fraud as has come to light in these proceedings.

The Panel finds, then, that the Complainant has carried its burden of proof under the third element of the Policy at paragraph 4(a)(iii) to show that the Respondent registered and is using the disputed domain name in bad faith.

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 <kwidhome.com> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: September 23, 2026