

ADMINISTRATIVE PANEL DECISION

HIBBETT HOLDINGS, LLC v. davish davish

Case No. D2026-3386

1. The Parties

The Complainant is HIBBETT HOLDINGS, LLC, United States of America ("US"), internally represented.

The Respondent is davish davish, US.

2. The Domain Name and Registrar

The disputed domain name <hibbettonline.com> is registered with TuringSign Inc. d/b/a Cosmotown (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 31, 2026. On July 31, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 3, 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 (UNKNOWN REGISTRANT / The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 3, 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 August 3, 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 August 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 25, 2026.

The Center appointed Dennis A. Foster as the sole panelist in this matter on August 25, 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 retailer of sporting goods, sports shoes and sportswear that began doing business in one store in Alabama, US in 1945. From there, the Complainant grew by adding similar retail stores in states across the US. By 2005, the Complainant operated 500 stores around the US and had revenue of USD 500 million. In 2007, the Complainant began retail sales on the Internet at its website at the domain name <hibbett.com>. By 2019, the Complainant had reached USD 1 billion in revenue. In addition, the Complainant began retail sales of shoes and sportswear for children and became active in philanthropy.

In conjunction with its sports shoes and accessories retailing business, the Complainant uses the US trademark HIBBETT, Registration No. 3275037, registration date August 7, 2007, International Class 35 for retail store services featuring sporting goods, clothing and footwear.

The Respondent is an individual who registered the disputed domain name on March 12, 2026. The Respondent set up a website at the disputed domain name that copied the essential characteristics of the Complainant's own website. The Respondent's website also purported to offer for sale many of the same goods as the Complainant, but at a 70% discount. The Respondent's website is not at present operational.

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.

In brief, the Complainant contends that:

The Respondent created and registered the disputed domain name because it is confusingly similar to the Complainant's HIBBETT trademark.

The Respondent does not have rights or legitimate interests in the disputed domain name. Without authorization, the Respondent uses the disputed domain name to pass itself off as, or to be affiliated with, the Complainant and to purport to sell the same goods as the Complainant.

The Respondent has registered and is using the disputed domain name in bad faith under Policy paragraph 4(b)(iv) because the Respondent has registered a domain name confusingly similar to the Complainant's trademark for financial gain.

B. Respondent

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

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:

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

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 bring these proceedings. In this regard, the Complainant has provided proof that it does own a US registered HIBBETT trademark whose details are above in the Factual Background section. The Panel finds this is convincing proof of the Complainant's trademark rights. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.2.1.

The Panel observes that the Complainant's trademark is incorporated into the disputed domain name, and therefore the disputed domain name is confusingly similar to the Complainant's trademark. [WIPO Overview 3.1](#), section 1.7. The Panel observes, further, that the Respondent has added the word "online" to the Complainant's trademark in the disputed domain name, but it is well-settled under the Policy that the addition of other words or terms to a trademark in a disputed domain name typically does not change a finding of confusing similarity. [WIPO Overview 3.1](#), section 1.8.

The Panel finds, then, that the Complainant has carried its burden of proof under Policy paragraph 4(a)(i) to show that the disputed domain name is confusingly similar to the Complainant's trademark.

B. Rights or Legitimate Interests

The Complainant's next burden of proof under Policy paragraph 4(a)(ii) is to show the Respondent does not have rights or legitimate interests in the disputed domain name. Although the overall burden of proof in UDRP proceedings is on a 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 a respondent. Therefore, where a complainant makes out a prima facie case that a respondent lacks rights or legitimate interests, the burden of production on this element shifts to a respondent to come forward with relevant evidence demonstrating rights or legitimate interests in a disputed domain name. The overall burden of proof does however remain on a complainant. If a respondent fails to come forward with such relevant evidence, a panel may find a complainant has satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

In the present case, the Complainant contends the Respondent does not have rights or legitimate interests in the disputed domain name because the Respondent does not have any permission or authority to use the Complainant's trademark. Also, the Complainant has shown that the Respondent has copied the substantive and operative elements of the Complainant's website and purports to offer for sale some of the same goods as the Complainant. This is not a bona fide offering of goods or services per Policy paragraph 4(c)(i). The Complainant also contends there is no evidence that the Respondent has ever been commonly known as the disputed domain name per Policy paragraph 4(c)(ii), or has used the disputed domain name for a noncommercial or fair use per Policy paragraph 4(c)(iii).

The Panel finds the Complainant has thus made out a prima facie case. The Respondent, being in default in these proceedings, has not come forward to rebut the Complainant's prima facie case. Therefore, the Panel finds the Complainant has carried its burden of proof to show that the Respondent does not have rights or

legitimate interests in the disputed domain name per Policy paragraph 4(a)(ii), and [WIPO Overview 3.1](#), section 2.1.

C. Registered and Used in Bad Faith

Policy paragraph 4(b) sets out four non-exhaustive grounds on which a complainant may show that a respondent registered and is using a disputed domain name in bad faith. As the Complainant contends in the present case, it is clear that the Respondent registered and is using the disputed domain name in bad faith in contravention of Policy paragraph 4(b)(iv), i.e., the Respondent registered the disputed domain name confusingly similar to the Complainant's trademark with financial gain in mind. The Panel is satisfied that the Respondent targeted the Complainant because the Respondent, after registering the disputed domain name, quickly put into practice a complex sales plan based on passing itself off as the Complainant or at a minimum having a close affiliation with the Complainant.

The Respondent's use of the disputed domain name to pass itself off as, or to be affiliated with, the Complainant, is evidence of bad faith registration and use under the Policy. [WIPO Overview 3.1](#), section 3.4.

Per the above, the Panel finds the Complainant has met its burden of proof under Policy paragraph 4(a)(iii) to show that the Respondent has 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 <hibbettonline.com> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: August 26, 2026