

ADMINISTRATIVE PANEL DECISION

POB Ventures, LLC v. dinator travel
Case No. D2026-3388

1. The Parties

The Complainant is POB Ventures, LLC, United States of America ("United States"), represented by Gleam Law, PLLC, United States.

The Respondent is dinator travel, Australia.

2. The Domain Name and Registrar

The disputed domain name <chronicsguru.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 30, 2026. On August 3, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 4, 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 4, 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 the Respondent of the Complaint, and the proceedings commenced on August 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 1, 2026.

The Center appointed Dr. Clive N.A. Trotman as the sole panelist in this matter on September 4, 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 trades in a wide range of cannabis products and claims to have done so under the name “Chronic Guru” since 2016.

The Complainant has the following trademark applications pending:

CHRONIC GURU, word mark, United States Patent and Trademark Office (“USPTO”) Principal Register, filed July 10, 2024, serial number 98641119, in classes 9, 34, 35, and 41; and

CHRONIC GURU, figurative mark comprising a deity superimposed on a cannabis leaf, USPTO Principal Register, filed July 23, 2024, serial number 98661620, in classes 9, 34, 35, and 41.

Notices of Allowance in respect of the above trademark applications were issued by the USPTO on April 14, 2026, and March 24, 2026, respectively.

The Complainant also uses the domain name <chronicguru.com>, which was registered on August 18, 2016, for its website.

The Respondent is in default and thus little is known on the Respondent. The disputed domain name was registered on August 13, 2025, and resolves to a website with similar layout and content to the Complainant’s website and bearing the Complainant’s logo, offering to supply various cannabis-related products and other substances unrelated to cannabis.

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 it holds sufficient rights under the Policy in the unregistered trademark CHRONIC GURU. In particular, the Complainant says it has prominently and extensively used, promoted, and advertised its unregistered trademarks and the Complainant’s domain name for the last ten years. The Complainant has been the subject of items in Fox News, Yahoo! Finance, and Winston-Salem Journal. The Complainant’s trademark and domain name have become well recognised by consumers as designating the Complainant as the source of its goods and services.

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant’s unregistered trademark. The difference is that the disputed domain name has an additional letter “s”, converting “chronic” into “chronics”, which is so similar as to constitute typosquatting.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant’s unregistered trademark is an arbitrary term which has no meaning other than to identify the Complainant with its goods and services. The Respondent registered the disputed domain name recently, on August 13, 2025. The Respondent’s website extensively copies the Complainant’s website and purports to offer similar products for sale, thus there is not a bona fide offering of goods or services through the disputed domain name and there is not any legitimate noncommercial or fair use. There is no evidence the Respondent has been known by the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith, particularly under paragraph 4(b)(iv) of the Policy. The Respondent has set out to imitate the Complainant’s website for the supply of similar goods related to cannabis but which the Complainant suspects may include fake goods. The disputed domain name, by means of its similarity to the Complainant’s unregistered trademark, and the similarity of the Respondent’s website to the Complainant’s website, is intended to divert traffic intended for the Complainant to the Respondent’s website by confusion for commercial gain.

The Complainant also says the Respondent's website design amounts to passing off. The website reproduces the Complainant's unregistered word trademark, and its unregistered design trademark, and displays similar content to that on the Complainant's website.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

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 the 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.

Before the above comparison can be made, it is necessary to ascertain whether the Complainant does possess a trademark within the meaning of the Policy.

Guidance offered by [WIPO Overview 3.1](#) includes the following:

"1.1.1 The term "trademark or service mark" as used in UDRP paragraph 4(a)(i) encompasses both registered and unregistered (sometimes referred to as common law) marks.

(...)

1.1.4 A pending trademark application would not by itself establish trademark rights within the meaning of UDRP paragraph 4(a)(i)".

The Complainant does not have a registered trademark and has acknowledged its awareness that it must establish sufficient rights in its unregistered trademark. For the purposes of comparing the Complainant's claimed marks with the disputed domain name, the Panel will focus on the claimed word mark CHRONIC GURU, as the design elements of the figurative mark cannot be represented in a domain name and such marks are generally disregarded in the confusing similarity assessment. [WIPO Overview 3.1](#), section 1.10.

As reiterated in the [WIPO Overview 3.1](#), section 1.3, the Complainant must show that its unregistered trademark has become a distinctive identifier that consumers associate with the Complainant's goods or services.

To this objective, the Complainant asserts that it has traded under its unregistered trademark since 2016 and implies that the registration of its own domain name <chronicguru.com> is evidence of this. In conducting limited enquiries of public sources (see [WIPO Overview 3.1](#), section 4.8) the Panel noted that, according to the occasional snapshots stored at "www.archive.org", the Complainant's website was apparently not in active use on or before July 31, 2019.

By September 22, 2020, however, it was fully functional with professional-looking video clips of people performing various hobby and pastime activities, overlaid with "LIVE YOUR BEST LIFE. We're honored to provide millions of people Organic Farm Direct Hemp Flower & Oil". In a further sample capture dated June 9, 2022, the Complainant's website advertised "Buy cannabis here..." The extensive website on this date provided a number of informative pages including an explanatory item headed "cannabis 101". The well-illustrated website described a selection of cannabis plant strains categorised as to how they might help different personal conditions. A section described the different biochemical types of cannabinoids dominantly present in the different strains. In other words, the Complainant was, by the early 2020s,

providing both a sales outlet and a useful information source for persons interested in cannabis products under the CHRONIC GURU mark.

The Complainant has produced copies of what appear to be either news publications or sponsored publicity describing its activities.

Dated June 22, 2022, is an article appearing on the “yahoo!finance” website titled “American Veteran Opens Cannabis Dispensary in Downtown Sanford, Florida, and Donates Proceeds to Disabled American Veterans”. The live version is marked “This is a paid press release”. Among its claims is that the owner of the Complainant has trained over 60,000 students at his five-acre cannabis college in Apopka, Florida.

An article published on February 3, 2023, by Fox 35 Orlando, is titled “Recreational marijuana now one step closer to reality in Florida, local pot growers not happy”. The thrust of the article, which mentions the Complainant and its owner, is that law changes will favour larger cannabis producers over smaller ones.

Dated May 26, 2026, an article in the Winston-Salem Journal is titled “Couple opens Winston-Salem’s first cannabis lounge downtown”, referencing the Complainant with text, a video and a number of interior and exterior photographs.

The balance of whether the Complainant has established secondary meaning in its unregistered trademark to the requirements of the Policy is a fine one. The unregistered trademark has been prominent on the Complainant’s website since 2020, and length of time is not necessarily determinative.

The Complainant has advertised itself by the promotional pieces listed above, which are however relatively recent, and by the nature of the Complainant’s website itself. However, there is little doubt to the Panel that the Complainant’s unregistered word trademark is distinctive and a recognised source identifier within its field. As also noted under [WIPO Overview 3.1](#), section 1.3, “...the fact that secondary meaning may only exist in a particular ... market niche does not preclude the complainant from establishing trademark rights ... under the UDRP”.

On the other hand, the Complainant has been reticent about aspects such as its scale in financial terms and sales figures.

The Panel finds the balance tipped in the Complainant’s favour by another factor, namely the fact that the Respondent evidently regards the Complainant’s business as valuable, to the extent of having made a determined effort to capitalise on the Complainant’s success by (as will be seen below) the creation of the barely distinguishable disputed domain name and by attempting to pass itself off as the Complainant with a blatantly lookalike website.

For the purposes of the present proceeding, the Panel finds the Complainant to have rights under the Policy in the unregistered trademark CHRONIC GURU (hereafter, the “Complainant’s trademark”). [WIPO Overview 3.1](#), section 1.3.

The Panel finds the mark is recognizable within the disputed domain name. 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 1.9.

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 the 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 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 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 the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the 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 disputed domain name resolves to a website that essentially imitates the Complainant's website and consequently its use cannot be bona fide. For the same reason the disputed domain name is found not to be in use for a legitimate noncommercial or fair use. There is no evidence that the Respondent has been known by the disputed domain name.

Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

The Complainant relies particularly on the provisions for a finding of bad faith in paragraph 4(b)(iv) of the Policy, which reads as follows:

"by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location".

The Panel has viewed the screen capture of the Respondent's website presented by the Complainant, alongside the screen capture of the Complainant's website, both accessed on July 23, 2026. The Panel has also visited the Respondent's website.

The Complainant's and the Respondent's websites are remarkably similar. Of particular note on the Respondent's website are the several prominent photographs apparently copied directly from the Complainant's website, under the identical heading "Shop By Category", each of which serves as a link heading leading to other pages. These include "All Cannabis Strains", featuring a package that bears the Complainant's trademark and logo; "Concentrates"; "Edibles", featuring a container bearing the Complainant's trademark and logo; "Infused THC Drinks", featuring a bottle with the Complainant's trademark and logo; and "Pre-Rolls".

Further down the Respondent's website are three blocks headed "Indica", "Hybrid" and "Sativa", coloured blue, green and brown respectively, also serving as internal link headings, together with a few words, that are visual and verbatim copies of the identically coloured blocks on the Complainant's website.

The Respondent's website additionally offers a link to the availability of substances unrelated to cannabis.

The Panel is in no doubt that the Respondent has specifically targeted the Complainant and has intended to imitate the Complainant's website, to the extent that even a previous visitor to the Complainant's website could easily confuse the two, well beyond the stage of initial interest confusion. The Respondent's website is clearly commercial, replete with a shopping cart and checkout facility. On the totality of the evidence and on the balance of probabilities, the Panel finds that the Respondent's website fulfils all of the requisites demonstrating registration and use of the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy.

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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <chronicsguru.com> be transferred to the Complainant.

/Dr. Clive N.A. Trotman/

Dr. Clive N.A. Trotman

Sole Panelist

Date: September 18, 2026