

ADMINISTRATIVE PANEL DECISION

Knit Dallas, LLC v. Aubrey Kelly
Case No. D2026-3392

1. The Parties

Complainant is Knit Dallas, LLC, United States of America (“United States”), represented by Scheef & Stone, LLP, United States.

Respondent is Aubrey Kelly, United States.

2. The Domain Name and Registrar

The disputed domain name <theknitdallas.shop> (hereinafter “Disputed Domain Name”) is registered with Dynadot Inc (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 4, 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 (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to Complainant on August 6, 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 August 7, 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 August 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 7, 2026.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on September 10, 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

Since it was founded in April 2022, Complainant has used KNIT DALLAS (hereinafter the “Mark”) continuously¹ as its trademark and tradename in connection with the sale of products related to fiber arts (e.g., knitting and other yarn-work crafts). Complainant also offers classes, seminars and workshops related to fiber arts.

Complainant offers these goods and services at its retail store in Dallas, Texas, and also online via its website at the domain name <knitdallas.com>, registered since 2022.

Since its founding, Complainant has displayed on its website the Mark integrated with a graphic design:



The website has also displayed a photograph of the interior of Complainant’s retail store. On its current website Complainant includes a statement: “© 2026 Knit Dallas”.

The Disputed Domain Name was registered on April 15, 2026. The website associated with the Disputed Domain Name displays Complainant’s logo graphic (above) integrated with the Mark. It also displays a copy of the photograph of the interior of Complainant’s store that Complainant displays on its website. Respondent’s website offers to sell a selection of knitting and yarn products comparable (if not identical) to those offered by Complainant on its website, but at highly discounted prices (“Up to 70% off selected items”). Respondent’s website includes the statement: “© 2026 Knit Dallas”.

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, although it does not own a trademark registration, it has established common law rights based on its substantially exclusive use of the Mark since 2022. It also contends that Respondent copied its logo and offers the identical selection of products that Complainant offers.

B. Respondent

Respondent did not respond to the Complaint.

¹ Complainant offers Internet Archive screenshots of its website for each year 2022-2026. These screenshots all show that Complainant displayed the Mark in plain text and logo format. They also include the referenced photograph of the retail store interior.

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.

The Panel finds Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.3. Complainant offers evidence of its exclusive use of the Mark since April 2022. Although Complainant has not offered evidence of sales totals, advertising or other indicia of common law rights of the sort recommended by [WIPO Overview 3.1](#), section 1.3, there is overwhelming evidence that Respondent is intentionally copying Complainant's trademark and trade dress. Respondent has displayed Complainant's logo (integrated with the Mark) and photographs of the interior of Complainant's retail shop. Even though Respondent's name is Aubrey Kelly, Respondent's website includes a copyright notice in the name of Complainant and reserves all rights to Complainant. This copying is evidence that Respondent recognizes that KNIT DALLAS refers to a specific single source of goods and services and thereby serves as evidence of Complainant's common law trademark rights. "The fact that a respondent is shown to have been targeting the complainant's mark (e.g., based on the manner in which the mark is used on the related website or impersonating documents or other instruments) may also support the complainant's assertion and evidence that its mark has achieved significance as a source identifier." *Id.* See also [WIPO Overview 3.1](#), section 1.15: "In some instances, panels have however taken note of the content of the website associated with a domain name to confirm confusing similarity whereby it appears prima facie that the respondent seeks to target a trademark through the disputed domain name."

The entirety of the Mark is reproduced and recognizable within the Disputed Domain Name. The addition of "the" does not prevent a finding of confusing similarity between the Disputed Domain Name and the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. Accordingly, the Disputed Domain Name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 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 a 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.

Respondent's copying of Complainant's graphic logo and photographs of the interior of Complainant's retail shop is evidence that Respondent intended to impersonate Complainant. Panels have held that the use of a domain name for copycat sites, passing off, or other types of fraud 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.

Panels have held that the use of a domain name for copycat sites, passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes 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 <theknitdallas.shop> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: September 24, 2026