

ADMINISTRATIVE PANEL DECISION

113 Ventures, LLC v. Patrick Bird, Moni
Case No. D2026-3463

1. The Parties

Complainant is 113 Ventures, LLC, United States of America (“U.S.” or “United States”), represented by Gleam Law, PLLC, U.S.

Respondent is Patrick Bird, Moni, U.S.

2. The Domain Name and Registrar

The disputed domain name <trehousestore.com> (the “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 August 4, 2026. On August 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 7, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the 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 7, 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 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 2, 2026.

The Center appointed Kimberley Chen Nobles 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

Complainant is a U.S. company that offers grinders, electronic vaporizer liquid, electronic cigarette liquid and related products under its TRE HOUSE mark. Complainant or its affiliates own United States registered trademark numbers 7600968 and 7735515 for the TRE HOUSE figurative mark, registered December 10, 2024 and March 25, 2025 respectively, with first use date of November 2, 2023 for the latter. Complainant's TRE HOUSE trademarks will hereinafter be referred to in the singular, as "the TRE HOUSE trademark".

Complainant also owns the domain name <trehouse.com>, registered in 2002, through which it offers its products.

The Domain Name was registered on November 7, 2025, and resolves to a website that prominently displays Complainant's TRE HOUSE trademark, with content that has the look and feel of Complainant's business website <trehouse.com>, including images of Complainant's products. Respondent promotes purported TRE HOUSE products with large discounts.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

In particular, Complainant contends that it has trademark registrations and rights for TRE HOUSE and that the Domain Name is a full recreation of its TRE HOUSE marks and merely adds the additional descriptive term "store" in the end. Complainant further argues that Respondent registered and is using the Domain Name, with the intention to confuse Internet users looking for bona fide and well-known TRE HOUSE products.

Complainant notes that it has no affiliation with Respondent, nor authorized Respondent to register or use a domain name which includes Complainant's trademark, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Rather, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights. Specifically, Complainant asserts that the Domain Name currently consists of an identical recreation of the TRE HOUSE trademark and offers identical goods and services. In this way, Respondent is attempting to create confusion by using Complainant's trademark, to attract users looking for Complainant's products to Respondent's website and profit from it.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

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

Section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)) states that failure to respond to the complainant’s contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent’s default is not necessarily an admission that the complainant’s claims are true.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the TRE HOUSE trademark, as noted above. Complainant has therefore proven that it has the requisite rights in the TRE HOUSE trademarks.

With Complainant’s rights in the TRE HOUSE trademark established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain (“TLD”) in which it was registered (in this case, “.com”), is identical or confusingly similar to Complainant’s trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant’s TRE HOUSE trademark. The TRE HOUSE trademark is recognizable in the Domain Name.

The addition of the term “store” following Complainant’s mark in the Domain Name does not prevent a finding of confusing similarity between the Domain Name and the TRE HOUSE trademark. See section 1.8 of the [WIPO Overview 3.1](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP. See section 2.1 of the [WIPO Overview 3.1](#).

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and the TRE HOUSE trademark and does not have any rights or legitimate interests in the Domain Name. Complainant has confirmed that Respondent is not affiliated with Complainant, or otherwise authorized or licensed to use the TRE HOUSE trademark or to seek registration of any domain name incorporating the trademark. Respondent is also not known to be associated with the TRE HOUSE trademark and there is no evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Domain Name directs to a website that imitates Complainant's website, prominently displaying Complainant's trademark throughout the site and offering what are allegedly Complainant's products for sale at discounts.

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name. Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

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

The Panel finds that Complainant has provided ample evidence to show that registration and use of the TRE HOUSE trademark predate the registration of the Domain Name. Complainant is also established and known; indeed, the record shows that Complainant's TRE HOUSE trademark and related products are known and recognized for purposes of the Policy. Therefore, and also noting the use analysis below, Respondent was clearly aware of the TRE HOUSE trademark when it registered the Domain Name.

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Moreover, the Domain Name's inclusion of Complainant's trademark in its entirety, with the addition of the term “store” in the Domain Name as discussed above, is intended to confuse Internet users into believing that the Domain Name belongs to Complainant. Such adoption of Complainant's trademark at the time of registration of the Domain Name serves to pass off a website as being associated with a trademark owner, where individuals or entities seek to pass themselves off as companies or entities in the hopes of seeking an advantage, from current or potential clients of those companies or entities. In the current instance, the term “store” infers that the website is associated as a store for Complainant's products, inferring association with Complainant.

In addition, Respondent's use of the Domain Name, as discussed above, is not in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Respondent's website displays Complainant's trademarks, with content that is a near duplication of the look and feel of Complainant's genuine website, including images. Respondent presents itself as "TRE HOUSE" store and promotes purported TRE HOUSE products.

UDRP panels have consistently held that a respondent's use of a domain name to trade off goodwill in a complainant's well-known trademark, as here, constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#). Moreover, such use of the Domain Name may potentially result in tarnishing Complainant's reputation and goodwill.

Finally, the Panel also notes the failure of Respondent to submit a Response and considers such factor further supports Respondent's registration and use constitutes bad faith.

In the present circumstances, considering the reputation of the TRE HOUSE trademark, and the composition and use of the Domain Name, the Panel finds that Respondent registered and is using the Domain Name in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Therefore, the Panel finds that Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <trehousestore.com> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: September 11, 2026