ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Universal Yarn, Inc. v. zero one
Case No. D2026-3520

1. The Parties

The Complainant is Universal Yarn, Inc., United States of America ("United States"), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

The Respondent is zero one, United States.

2. The Domain Name and Registrar

The Disputed Domain Name <premieryarns.systems> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 7, 2026. On August 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 11, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 11, 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 11, 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 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 7, 2026.

The Center appointed Elizabeth Ann Morgan 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

Founded in 2005, the Complainant provides quality yarn produced with fine fibers, handcrafted accessories, and beautiful patterns curated for knitters, crocheters, and all fiber artists. The Complainant has provided these products under the PREMIER brand since at least as early as 2005, when the Complainant was founded. The Complainant has continuously used the PREMIER trademark in commerce in connection with the sale of the aforementioned products.

In order to fully protect its trademark and the goodwill associated therewith, the Complainant filed an application to register the PREMIER trademark with the United States Patent and Trademark Office on February 7, 2006, and the trademark was registered by the USPTO on December 12, 2006, as United States Reg. No. 3183806. The United States federal trademark registration for the PREMIER trademark is incontestable. The Complainant's common law rights and registered rights in the PREMIER trademark, as detailed above, are hereinafter referred to collectively as the "PREMIER Mark".

The Respondent registered the Disputed Domain Name on June 18, 2026. The Disputed Domain Name is comprised of the Complainant's PREMIER Mark in its entirety followed by the term YARNS, a term that is directly related to the Complainant's business. To the best of the Complainant's knowledge, since registering the Disputed Domain Name the Respondent has only ever used the Disputed Domain Name to direct visitors to the Complainant's own site located at "www.premieryarns.com".

In addition, the Complainant notes that the Respondent has associated Mail exchange ("MX") servers with the Disputed Domain Name. Lastly, the Complainant confirms that the Respondent is not licensed to use the PREMIER Mark.

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 the Disputed Domain Name is confusingly similar to the Complainant's PREMIER Mark. The Disputed Domain Name is comprised of the Complainant's PREMIER trademark in its entirety followed by the generic/descriptive word YARNS, a word directly associated with the Complainant's business. The Disputed Domain Name effectively impersonates and suggests sponsorship, endorsement, or authorization by the Complainant of the Disputed Domain Name and use thereof, when no such sponsorship, endorsement, or authorization exists, and therefore the Respondent cannot legitimately claim any rights or legitimate interest in the Disputed Domain Name. The Complainant submits that the redirect, when viewed in combination with the associated MX servers, is more likely than not an attempt to give the Disputed Domain Name an appearance of authenticity and legitimacy to whatever abusive or fraudulent activities the Respondent may be conducting with any email addresses they have associated with the Disputed Domain Name. The same activity is also viewed as establishing bad faith because the Respondent is in control of the redirect and thus the redirection creates a real or implied ongoing threat to the Complainant. The Respondent's use of the Disputed Domain Name to redirect to the Complainant's official website is a form of impersonation or passing off and use in bad faith.

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.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced 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, section 1.7.

Although the addition of other terms here, the term "yarns", may bear on assessment of the second and third elements, the Panel finds the addition of such term 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.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed 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.

In the present case, the Panel notes that the Respondent appears to be intentionally attempting to attract for commercial gain Internet users by creating a likelihood of confusion with the Complainant's mark.

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 passing off or other types of fraud 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 <premieryarns.systems> be transferred to the Complainant.

/Elizabeth Ann Morgan/
Elizabeth Ann Morgan
Sole Panelist
Date: September 24, 2026