

ADMINISTRATIVE PANEL DECISION

Bay Cities Tin Shop, Inc., d/b/a Bay Cities Metal Products v. Alfreda Johnson
Case No. D2026-3566

1. The Parties

Complainant is Bay Cities Tin Shop, Inc., d/b/a Bay Cities Metal Products, United States of America, represented by Command IP LLP, United States of America.

Respondent is Alfreda Johnson, United States of America.

2. The Domain Name and Registrar

The disputed domain name <bcmets.com> (the “Disputed Domain Name”) is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 11, 2026. On August 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 12, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 Respondent of the Complaint, and the proceedings commenced on August 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 2, 2026. Respondent did not submit a response. Accordingly, the Center notified Respondent’s default on September 3, 2026.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on September 3, 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 states, and provides documentation in support thereof, that it is the owner of U.S. Reg. No. 7,523,381 for BAY CITIES METAL PRODUCTS (registered October 1, 2024), which claims a date of first use in commerce of January 1, 1960, for use in connection with “downspouts of metal; metal gutters; metal roofing jacks being metal roof vents for heating and ventilation in residential and commercial buildings; metal ventilation windows; metal heating, ventilation and air conditioning (HVAC) ducts; metal hardware, namely, solar panel mounts made of metal; heating ducts of metal; ventilating ducts of metal; metal roof vents for ventilation in residential and commercial buildings” (the “BAY CITIES METAL PRODUCTS Trademark”). Complainant further states that it “operates its legitimate website and email under bcmet.com”, and a printout provided by Complainant of the home page of the website using this domain name refers to “Your trusted manufacturer of high-quality sheet metal products for distributors and DIY home centers”. The website also states: “Bay Cities Metal Products operates from three strategic locations in California and Arizona with more than 300,000 SF of dedicated manufacturing and warehouse space. We serve California, Arizona, Nevada, and Utah with diverse fleet capabilities ranging from stakebeds to flatbeds, ensuring timely and efficient shipping across the region. We offer a vast range of high-quality and precision design products that meet our customers’ needs.”

The Disputed Domain Name was created on December 4, 2025. Complainant states that Respondent “configured and used ar@bcmets.com to impersonate Complainant’s accounts-receivable personnel and target Complainant’s actual customers”. An email provided by Complainant shows the email address “[...]@bcmets.com” as the sender, and the body of the email is signed by “Accounts Receivable Team / Bay Cities Metals Products” and includes the same logo that appears on Complainant’s website. The body of the email inquires about “the status of your outstanding balance” and includes the following highlighted text: “***Reminder: Please ensure you have our account updated to reflect our new Bank information. The old bank account is in the process of being closed.”

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 in relevant part that:

- The Disputed Domain Name is identical or confusingly similar to the BAY CITIES METAL PRODUCTS Trademark because the Disputed Domain Name is “a deliberately compressed and misspelled approximation of Complainant’s name and online identity”; the letter “s” in the Disputed Domain Name “creates a one-character variant of Complainant’s legitimate bcmet.com domain”; and “Respondent’s actual use confirms the intended trademark referent: the bcmets.com address was used while expressly identifying the sender as ‘Bay Cities Metal Products,’ reproducing Complainant’s logo and trade dress, directing recipients to Complainant’s legitimate bcmet.com website, and communicating about purported customer balances”.
- Respondent has no rights or legitimate interests in the Disputed Domain Name because “Complainant has never licensed, authorized, or otherwise permitted Respondent to use the BAY CITIES METAL PRODUCTS mark, Complainant’s logo, its bcmet.com identity, or the disputed domain. There is no evidence that Respondent is commonly known by bcmets.com. Respondent’s impersonation and attempted diversion of customer payments cannot constitute a bona fide offering, legitimate noncommercial use, or fair use. The false accounts-receivable identity, use of Complainant’s branding, reference to real or purported invoices, and request to substitute bank information are calculated to deceive recipients, not to make any legitimate descriptive or nominative use”.

- The Disputed Domain Name was registered and is being used in bad faith because “Respondent registered the one-letter variant bcmets.com long after Complainant established trademark rights and decades after Complainant’s claimed first use”; “Respondent used the domain to create ‘[...]@bcmets.com’ and then impersonated Complainant by name, logo, website, history, and accounts-receivable function”; “[t]his conduct demonstrates actual knowledge of Complainant when the domain was selected and a purpose to exploit confusion”; and Respondent’s impersonation of Complainant “is inherently illegitimate and constitutes compelling evidence of bad faith” because it “is designed to cause Complainant’s customers to believe they are communicating with Complainant and to route payments or financial information to Respondent”.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registration cited by Complainant, it is apparent that Complainant has rights in and to the trademark BAY CITIES METAL PRODUCTS. Complainant does not claim any registered or common law rights in the trademark BCMET.

As to whether the Disputed Domain Name is identical or confusingly similar to the BAY CITIES METAL PRODUCTS Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., “bcmets”) because “[t]he applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test”. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.11.1.

As set forth in section 1.9 of [WIPO Overview 3.1](#): “A domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element... Examples of such variations include... plays on the mark (e.g., abbreviations or combinations of select elements of the mark).” Emphasis added.

Further, as set forth in section 1.15 of [WIPO Overview 3.1](#): “[E]ven where no website content is being hosted at the disputed domain name, but the respondent has used the domain name in a manner that trades off the complainant’s rights (e.g., in an email impersonating the complainant), panels have found that such conduct affirms a finding of confusing similarity.”

Here, it is obvious that the Disputed Domain Name is a near-identical version of an abbreviation of the BAY CITIES METAL PRODUCTS Trademark, an abbreviation that Complainant itself uses for its own domain name. And, it is obvious based on the email provided by Complainant that Respondent is using the Disputed Domain Name to impersonate Complainant, by referring to Complainant by name in the body of the email and using the same logo that Complainant uses on its website. Under these circumstances, the Panel finds that the Disputed Domain Name is confusingly similar to Complainant’s trademark.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Complainant has argued that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “Complainant has never licensed, authorized, or otherwise permitted Respondent to use the BAY CITIES METAL PRODUCTS mark, Complainant’s logo, its bcmet.com identity,

or the disputed domain. There is no evidence that Respondent is commonly known by 'bcmets.com'. Respondent's impersonation and attempted diversion of customer payments cannot constitute a bona fide offering, legitimate noncommercial use, or fair use. The false accounts-receivable identity, use of Complainant's branding, reference to real or purported invoices, and request to substitute bank information are calculated to deceive recipients, not to make any legitimate descriptive or nominative use".

[WIPO Overview 3.1](#), section 2.1, states: "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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that Complainant has established its prima facie case and without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or 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 the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has 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 the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's 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 the registrant's website or location or of a product or service on the registrant's website or location. Policy, paragraph 4(b).

The email provided by Complainant showing use of the Disputed Domain Name to send an email impersonating Complainant and apparently seeking to obtain payment is a form of phishing known as business email compromise ("BEC"), which the U.S. Federal Bureau of Investigation ("FBI") has called "one of the most financially damaging online crimes". *Business Email Compromise, Fed. Bureau of Investigation*, <https://www.fbi.gov/how-we-can-help-you/common-frauds-and-scams/business-email-compromise> (last visited Sept. 3, 2026). Panels routinely find that such phishing activities create a likelihood of confusion pursuant to paragraph 4(b)(iv) of the Policy. Further, as set forth in section 3.1.4 of [WIPO Overview 3.1](#), "use of a domain name for per se illegitimate activity such as... phishing... is manifestly considered evidence of bad faith". See also [WIPO Overview 3.1](#), section 3.4: "respondent's use of the domain name to send deceptive emails, e.g.,... to solicit payment of fraudulent invoices by the complainant's actual or prospective customers" constitutes bad faith.

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 <bcmets.com> be transferred to Complainant.

/Douglas M. Isenberg/

Douglas M. Isenberg

Sole Panelist

Date: September 3, 2026