ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
OREGON TOOL, INC. v. Haite He
Case No. D2026-3665

1. The Parties

The Complainant is OREGON TOOL, INC., United States of America ("United States"), represented by Foley & Lardner LLP, United States.

The Respondent is Haite He, China.

2. The Domain Name and Registrar

The disputed domain name <oregon-tool.com> 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 14, 2026. On August 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 19, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 19, 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 amendment to the Complaint on August 20, 2026.

The Center verified that the Complaint together with the amendment to 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 the Respondent of the Complaint, and the proceedings commenced on August 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 10, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 11, 2026.

The Center appointed Catherine Slater as the sole panelist in this matter on September 18, 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 is a United States company that manufactures outdoor power equipment such as chainsaws for the forestry, agriculture and construction industries. It has marketed products under the OREGON trademark since 1955 and over the last three years has generated turnover of USD 2 million in respect of products bearing the OREGON trademark.

The Complainant has numerous trademark registrations throughout the world for OREGON including:

- United States Trade Mark No. 602,338 for OREGON (plain word) registered on February 22, 1955;
- Canada Trade Mark No. TMA103,080 for OREGON (plain word) registered on April 13, 1956; and
- European Union Trade Mark No. 16321986 for OREGON (plain word) registered on May 31, 2017.

The Complainant operates websites at <www.oregonproducts.com> and <www.oregontool.com>.

The disputed domain name was registered on May 12, 2026.

At the date of filing of the Complaint and at the date of this Decision, the disputed domain name did not resolve to any active website. On May 22, 2026, the disputed domain name resolved to a website offering for sale gardening tools and accessories and included reference to “Oregon Tool Lux Holdings LP” which, according to the Complainant, is the name of its subsidiary.

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 OREGON trademark since it wholly incorporates that trademark.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name because the Respondent registered it without the authorisation, knowledge or consent of the Complainant, the Respondent has never made any bona fide offering of goods or services under the disputed domain name, the Respondent has not made any noncommercial or fair use of the disputed domain name and the Respondent has not been commonly known by the disputed domain name.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith because it mimics the Complainant’s <oregontool.com> domain name by adding only a hyphen and references Oregon Tool Lux Holdings, LP (which is a subsidiary of the Complainant) and is therefore an attempt at passing off and the totality of the evidence shows that the Respondent registered the disputed domain name for the purpose of attracting Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant’s OREGON trademark as to the source, sponsorship, affiliation or endorsement of its website.

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, "tool", 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.

For completeness, the Panel is satisfied that the use of the disputed domain name on May 22, 2026, seeks to take unfair advantage of the Complainant's OREGON trademark (as discussed in more detail below) and cannot therefore give rise to rights or legitimate interests.

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 finds that at the time of registration of the disputed domain name the Respondent knew of the Complainant and/or the Complainant's OREGON trademark. That knowledge is demonstrated by the fact that the Respondent elected to combine the words "oregon" and "tool" such that the disputed domain name mimics the Complainant's <oregontool.com> domain name. Further, it has shortly after registration pointed the disputed domain name to a website that offered for sale goods similar to those of the Complainant and also included reference to a subsidiary company of the Complainant. The Respondent has provided no explanation for its registration and use of the disputed domain name. In short, the Respondent targeted the Complainant by registering the disputed domain name for the purpose of taking advantage of its OREGON trademark and has then used the disputed domain name in a manner which, as discussed further below, amounts to "bad faith use".

Paragraph 4(b)(iv) of the Policy sets out an example circumstance that amounts to use in bad faith as follows: "by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other on-line 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 the website for which the disputed domain name was used, for the reasons stated above, gave the false impression of belonging to the Complainant or at least being affiliated with the Complainant in a manner that falls squarely within the circumstances set out in paragraph 4(b)(iv) of 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 <oregon-tool.com> be transferred to the Complainant.

/Catherine Slater/
Catherine Slater
Sole Panelist
Date: October 2, 2026