

ADMINISTRATIVE PANEL DECISION

Rough Country, LLC v. Patricia Adams
Case No. D2026-3686

1. The Parties

The Complainant is Rough Country, LLC, United States of America ("United States"), represented by Fredrikson & Byron, PA, United States.

The Respondent is Patricia Adams, China.

2. The Domain Name and Registrar

The disputed domain name <roughcountrys.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 17, 2026. On August 18, 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 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 the Respondent of the Complaint, and the proceedings commenced on August 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 16, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on September 21, 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 engaged in the manufacture and sale of automotive aftermarket parts and accessories, including suspension lift kits, bumpers, lighting products, and other off-road vehicle parts and accessories.

The Complainant is the owner of numerous trademark registrations for ROUGH COUNTRY (the “ROUGH COUNTRY Trademark”), including:

- United States Trademark Registration No. 1006015, registered on March 4, 1975;
- United States Trademark Registration No. 6911558, registered on November 29, 2022; and,
- International Trademark Registration No. 1595201, inter alia designated for the European Union, registered on April 14, 2021.

The Complainant is also the owner of the domain name <roughcountry.com>, registered on November 20, 1996.

The disputed domain name was registered on August 1, 2026. At the time of this Decision, the disputed domain name does not resolve to an active website. The Complainant provided evidence that the disputed domain name previously resolved to an active website styled as an online shop for off-road vehicle parts and accessories. The website displayed the ROUGH COUNTRY Trademark in the stylized form used by the Complainant, together with the color scheme and product categories of the Complainant’s official website. The website offered purported products of the Complainant at heavily discounted prices. The website did not disclose the absence of any relationship between the Respondent and the Complainant.

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.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to the ROUGH COUNTRY Trademark. The disputed domain name is virtually identical to the ROUGH COUNTRY Trademark, differing only by the addition of the letter “s” at the end. Consumers searching for the Complainant’s website could easily mistype the disputed domain name or confuse it with the Complainant’s genuine online presence. Further, this is a textbook case of typosquatting, the intentional registration of a domain name that differs by a single character from a well-known mark or domain in order to capture misdirected Internet traffic.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name promotes or suggests a connection or relationship between the Respondent and the Complainant where none exists. The Complainant has never authorized the Respondent to register or use the disputed domain name or any domain name incorporating the ROUGH COUNTRY Trademark. There is no connection or relationship of any kind between the Complainant and the Respondent. The Complainant believes that the Respondent chose the disputed domain name because of the reputation and goodwill associated with the ROUGH COUNTRY Trademark. This is supported by the fact that the ROUGH COUNTRY Trademark is distinctive and well-known in the automotive aftermarket industry. The disputed domain name incorporates the

ROUGH COUNTRY Trademark in its entirety with only a minor typographical variation, and the Respondent has no apparent connection to any business or entity legitimately operating under the name “Rough Country” or “Rough Countrys”. The Whois records show the Respondent is located in China with no apparent legitimate commercial or noncommercial use of the domain.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith. By using the disputed domain name and creating a likelihood of confusion with the ROUGH COUNTRY Trademark as to the source, sponsorship, affiliation, or endorsement of the website, the Respondent has intentionally attempted to attract visitors to its website for commercial gain and to perpetrate fraud upon the Complainant’s customers. The Respondent’s website mirrors the Complainant’s legitimate website and uses the ROUGH COUNTRY Trademark without authorization. The Respondent has used the ROUGH COUNTRY Trademark and copied the design elements in an attempt to impersonate the Complainant and sell counterfeit goods. The Respondent also includes a “My Account” login portal on its website in a fraudulent attempt to harvest login credentials from unsuspecting consumers who believe they are accessing the Complainant’s legitimate website. This phishing scheme is designed to capture usernames, passwords, and potentially other sensitive personal and financial information from the Complainant’s actual customers who inadvertently navigate to the Respondent’s fraudulent website. Such conduct constitutes not only bad faith under the Policy, but also potential criminal fraud and identity theft. Multiple aspects of the domain registration raise red flags indicative of bad faith, such as the recent registration of the disputed domain name as well as the inconsistent and suspicious contact information of the Respondent.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel’s decision be made “on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

The Complainant must establish each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to the disputed domain name, namely that:

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

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 applicable TLD in a domain name (e.g., “.com”) is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

The disputed domain name contains the ROUGH COUNTRY Trademark in its entirety with the only difference being the addition of the letter “s”. The Panel finds the mark is recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.7. Further, 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. [WIPO Overview 3.1](#), section 1.9.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. The Panel therefore 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.

Panels have categorically held that the use of a domain name for illegal activity (here, impersonation) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. The Complainant further alleges the sale of counterfeit goods and phishing. While certain circumstances may point in that direction, the record does not permit a conclusive finding in this regard, and the Panel therefore does not take these allegations into account.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the ROUGH COUNTRY Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name. Further, the disputed domain name was not used for a bona fide offering of goods or services. Rather, the Complainant provided evidence that the disputed domain name previously resolved to an active website styled as an online shop for off-road vehicle parts and accessories. The website displayed the ROUGH COUNTRY Trademark in the stylized form used by the Complainant, together with the color scheme and product categories of the Complainant’s official website. The website offered purported products of the Complainant at heavily discounted prices. The website did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be authorized by or affiliated with the Complainant.

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.

The Panel finds that 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 consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), section 3.1.4. Panels also have held that the use of a domain name for illegal activity (here, impersonation) can never confer rights or legitimate interests on a respondent and is manifestly considered evidence of bad faith.

Moreover, panels have found the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: (i) actual confusion; (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful; (iii) the lack of a respondent's own rights to or legitimate interests in a domain name; (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a disclaimer; (v) redirecting the domain name to or mimicking the complainant's (or a competitor's) website; and (vi) absence of any conceivable good faith use. [WIPO Overview 3.1](#), section 3.1.4.

In the present case, the disputed domain name incorporates the ROUGH COUNTRY Trademark in its entirety, with the only addition of the letter "s". Such a composition cannot be considered coincidental and rather indicates that the Respondent was aware of the ROUGH COUNTRY Trademark and targeted it when registering the disputed domain name. Considering the distinctiveness and public presence of the ROUGH COUNTRY Trademark, Internet users may think the disputed domain name is connected to the Complainant and would resolve to a website related to the Complainant.

Further, the Complainant provided evidence that the disputed domain name previously resolved to an active website styled as an online shop for off-road vehicle parts and accessories. The website displayed the ROUGH COUNTRY Trademark in the stylized form used by the Complainant, together with the color scheme and product categories of the Complainant's official website. The Respondent thus impersonated the Complainant vis-à-vis consumers, constituting illegal activity. The Complainant's further allegations of sale of counterfeit goods and phishing are, however, not taken into account, the record not permitting a conclusive finding in this regard. Moreover, the website under the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. As shown above, the Respondent lacks rights or legitimate interests in the disputed domain name. The fact that the disputed domain name currently does not resolve to an active website does not alter this finding, the Respondent's prior use as described above being decisive.

The evidence leads to the conclusion that the Respondent has registered and used the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the ROUGH COUNTRY Trademark as to the source, sponsorship, affiliation, or endorsement of that website.

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 <roughcountrys.com> be transferred to the Complainant.

/Manuel Wegrostek/

Manuel Wegrostek

Sole Panelist

Date: October 5, 2026