

ADMINISTRATIVE PANEL DECISION

Rheem Manufacturing Company v. austin austin
Case No. D2026-3794

1. The Parties

The Complainant is Rheem Manufacturing Company, United States of America ("United States"), represented by Eversheds Sutherland (US) LLP, United States.

The Respondent is austin austin, United States.

2. The Domain Name and Registrar

The disputed domain name <ruudhome.com> is registered with TuringSign Inc. d/b/a Cosmotown (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 25, 2026. On August 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 27, 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 (No Listed Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 27, 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 27, 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 September 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 22, 2026.

The Center appointed Gregory N. Albright as the sole panelist in this matter on September 30, 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 leading manufacturer of commercial and residential air and water heating and cooling equipment and parts. The Complainant offers hundreds of products under the RUUD mark, including air filters, furnaces, water heaters, air sensors, heat pumps and other air and water equipment and parts.

The Complainant has used the RUUD mark in commerce since at least 1961. The Complainant owns numerous trademark registrations around the world for the RUUD mark, including the following registrations on the principal register of the United States Patent and Trademark Office: (1) Reg. No. 737,477 issued on September 11, 1962 (and assigned to the Complainant in 1964); (2) Reg. No. 7,072,359 issued on June 6, 2023; and (3) Reg. No. 7,434,523 issued on July 2, 2024.

The Complainant also owns <ruud.com> domain name, created in 1995. The Complainant's website displays the RUUD mark on its numerous products.

The disputed domain name was registered on January 31, 2026. The disputed domain name resolves to a website that purports to be hosted by the owner of the RUUD mark, offers the Complainant's products for sale at discounted prices, and solicits customers to make purchases.

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.

First, the Complainant asserts that the disputed domain name incorporates the entirety of the Complainant's RUUD mark and only adds the generic term "home", which describes one of the locations for which consumers buy the Complainant's products, and where products bearing the mark operate. The disputed domain name is therefore confusingly similar to the Complainant's mark and violates its intellectual property rights.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. There is no evidence that the disputed domain name is the Respondent's name or the name of any entity with which the Respondent is lawfully associated. Without the Complainant's authorization, consent or license, the Respondent is using the RUUD mark as part of the disputed domain name and, on the website to which the disputed domain name resolves, the Respondent offers for sale products bearing the RUUD mark. The Respondent's use of the disputed domain name for illegal activity – like the impersonation / passing off here – does not confer legitimate rights on the Respondent. The Respondent is fraudulently misleading members of the public to believe they are purchasing bona fide goods from the Complainant when in reality the Respondent is scamming them into giving sensitive, personally identifiable information to the Respondent, who has no affiliation with the Complainant and no license to use its mark. The Respondent's use of the disputed domain name and the Complainant's mark on the Respondent's website does not constitute fair use; the Respondent instead is seeking commercial gain through infringing use of the Complainant's mark.

Third, the Respondent registered and is using the disputed domain name in bad faith. The timing of registration of the disputed domain name – more than 60 years after issuance of Reg. No. 737,477 and 30 years after the Complainant's launch of its website at "www.ruud.com" – is evidence that the Respondent knew of the Complainant's trademark rights when the disputed domain name was registered. The Respondent's knowledge of the Complainant's trademark is also evidenced by the Respondent's use of the mark on the website to which the disputed domain name resolves, offering products bearing the mark for sale. And it is bad faith for the Respondent to use the disputed domain name and related website to obtain consumer information, including payment information, email addresses, and home addresses, in connection with a fraudulent impersonation scheme.

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 another term – here "home" – may bear on assessment of the second and third elements, the Panel finds the addition of the term "home" to the Complainant's mark 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 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.

There is no evidence that the Respondent is known by the disputed domain name, or that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name. The Respondent instead is using the disputed domain name in connection with a copycat website, using the Complainant's mark without authorization to offer goods for sale, and identifying itself as "[...] part of the Rheem Manufacturing family". As many Panels have held, the use of a domain name for illegal activity, including, as claimed applicable here, copycat sites, 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 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 disputed domain name was registered in January 2026, many years after the Complainant registered its RUUD mark in the United States, where the Respondent is located, and many years after the Complainant created its <ruud.com> domain name and associated website. This timing, together with the Respondent's incorporation of the entirety of the distinctive RUUD mark into the disputed domain name, betrays a deliberate choice of a domain name that is confusingly similar to the Complainant's mark.

The evidence also shows that the Respondent is using the disputed domain name in an intentional attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. The website to which the disputed domain name resolves offers for sale the Complainant's own products, bearing the Complainant's mark, without authorization or license from the Complainant, and identifying itself as "[...] part of the Rheem Manufacturing family". The Respondent's website is a close copy of the Complainant's own website, which betrays the Respondent's intent to create confusion about the source of the products and falsely suggest the Respondent's association with the Complainant.

Moreover, Panels have held that the use of a domain name for illegal activity, including, as claimed applicable here, copycat sites, passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Here, the Complainant has adduced evidence that the Respondent's website is more likely than not a fraudulent effort to obtain personally identifying information from the Complainant's potential customers, as part of a scam.

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 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 <ruudhome.com> be transferred to the Complainant.

/Gregory N. Albright/

Gregory N. Albright

Sole Panelist

Date: October 14, 2026