

ADMINISTRATIVE PANEL DECISION

Shaw Industries Group, Inc., Columbia Insurance Company v. Name
Redacted

Case No. D2026-3807

1. The Parties

Complainants are Shaw Industries Group, Inc., United States of America ("United States") and Columbia Insurance Company, United States, represented by Iverson IP, United States.

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The Disputed Domain Name <shawinc-us.com> is registered with HOSTINGER operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 25, 2026. On August 26, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to Complainants on August 27, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainants to submit an amendment to the Complaint. Complainants filed an amended Complaint on September 1, 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

¹ This Respondent appears to have used the name of an employee of the Complainant Shaw Industries Group Inc. when registering the Disputed Domain Name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the Disputed Domain Name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 September 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 23, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 28, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on October 2, 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 Shaw Industries Group, Inc. (“Shaw”) is a Georgia corporation, with its principal place of business in Dalton, Georgia, United States and Complainant Columbia Insurance Company (“Columbia”) is a Nebraska corporation, with its principal place of business in Omaha, Nebraska, United States. Complainants are related companies owned by the same corporate parent, both being wholly owned subsidiaries of Berkshire Hathaway Inc., and have a sufficient common interest in the Disputed Domain Name for this to proceed as a consolidated proceeding.

Columbia is the sole owner of a famous family of SHAW formative trademarks (collectively the “SHAW Marks”) for use in connection with carpeting, flooring, carpet backing, and related goods and services, including without limitation the following registrations:

United States Registration No. 2,291,182 for SHAW registered on November 9, 1999, in international class 27;

United States Registration No. 2,692,764 for SHAW & Design registered on March 4, 2003, in international classes 19 and 27; and

United States Registration No. 2,811,298 for SHAW CONTRACT registered on February 3, 2004 in international class 27.

Shaw is the sole licensee of the SHAW Marks over which Columbia exercises control. In addition, some of the SHAW Marks have been in continuous use for five consecutive years subsequent to their date of registration and are still in use in commerce.

In addition, Shaw owns and has registered numerous flooring-related domain names, which include the name “shaw”, including the domain name <shawinc.com>.

The Disputed Domain Name was registered on July 26, 2026, and redirects to the website at “www.shawinc.com” owned and operated by Complainants. The Disputed Domain Name has been enrolled in a mail exchange (MX) allowing for the sending and receiving of email. An email address associated with the Disputed Domain Name has been used to send phishing emails to Complainants’ customers, impersonating a Shaw employee and requesting information, including invoice records.

5. Parties’ Contentions

A. Complainants

Complainants contend that, since at least as early as 1985, Complainant Shaw has prominently used the SHAW Marks in connection with carpeting and hardwood flooring related goods, provided directly to

consumers. Complainants have spent millions of dollars displaying, promoting, and advertising the SHAW Marks. As a result of these efforts, Complainant Shaw is one of the United States' leading carpeting and flooring companies and is well-known internationally.

Complainants further contend that they have registered rights in the SHAW Marks, and that the Disputed Domain Name is confusingly similar to the SHAW Marks.

Complainants further contend that the word "shaw" is the basic element of the SHAW Marks and is contained in its entirety in the Disputed Domain Name, making the Disputed Domain Name confusingly similar to the SHAW Marks for purposes of the Policy.

Complainants further contend that the addition of the term "us" does not prevent a finding of confusing similarity.

Complainants submit that Respondent is not commonly known by the Disputed Domain Name and has no rights in any trademark or service mark related to the term "shaw."

Complainants further submit that the Disputed Domain Name has not been utilized for the bona fide sale of goods or services. Its use has been to perpetrate an email phishing scam which is not considered legitimate under the Policy.

Complainants further submit that Respondent is not authorized to use the SHAW Marks in connection with any emails (or in any other manner). Respondent has acquired the Disputed Domain Name with no apparent intention of utilizing it in connection with legitimate goods or services, but rather is using it for a phishing scam, attempting to elicit private information from unsuspecting customers.

Complainants allege that Respondent's purported registration name and purported contact information were falsified, as the name of the Respondent is the name of a Shaw employee. This name was also the sender name attached to multiple phishing emails sent by Respondent to Complainants' customers as described more fully below.

Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainants' contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint 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."

Even though Respondent has failed to file a Response or to contest Complainants' assertions, the Panel will review the evidence proffered by Complainants to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on UDRP Questions (["WIPO Overview 3.1"](#)), section 4.3.

Paragraph 4(a) of the Policy directs that Complainants must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the SHAW Marks in which Complainants have rights; and,

- ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and,
- iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

[WIPO Overview 3.1](#), section 1.2.1 states that registration of a trademark, here the SHAW Marks, prima facie satisfies the threshold requirement of Complainants having trademark rights for purposes of standing to file a UDRP case.

Complainants have shown rights in respect of the SHAW Marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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 SHAW Marks and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The word “shaw” is the basic element of the SHAW Marks and is reproduced in its entirety within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the SHAW Marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of the term, here “inc-us,” 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 SHAW Marks 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 Respondent may demonstrate rights or legitimate interests in a Disputed Domain Name.

Paragraph 4(c) of the Policy allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the SHAW Marks.

Although the overall burden of proof in UDRP proceedings is on complainant, panels have recognized that proving that respondent lacks rights or legitimate interests in the disputed domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of respondent. As such, where complainant makes out a prima facie case that respondent lacks rights or legitimate interests, the burden of production on this element shifts to respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name (although

the burden of proof always remains on complainant). If respondent fails to come forward with such relevant evidence, complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainants have established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted Complainants' 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 the Disputed Domain Name for illegitimate activity, here claimed as a phishing scam, can never confer rights or legitimate interests on 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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainants to show bad faith registration and use of the Disputed Domain Name:

(i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainants who are the owners of the SHAW Marks or to a competitor of Complainants, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or

(ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owners of the SHAW Marks from reflecting the SHAW Marks in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the SHAW Marks as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that the Disputed Domain Name was registered and used in bad faith, but other circumstances may be relevant in assessing whether Respondent's registration and use of the Disputed Domain Name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed as a phishing scam, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitute bad faith under the Policy.

The Panel finds that Complainants have 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 <shawinc-us.com> be transferred to Complainants.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: October 9, 2026