

ADMINISTRATIVE PANEL DECISION

Boise Cascade Building Materials Distribution, L.L.C. v. Matthew Brossman
Case No. D2026-3837

1. The Parties

The Complainant is Boise Cascade Building Materials Distribution, L.L.C., United States of America ("United States"), represented by Hawley Troxell Ennis & Hawley LLP, United States.

The Respondent is Matthew Brossman, United States, self-represented.

2. The Domain Name and Registrar

The disputed domain name <broscococonstruction.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 27, 2026. On August 27, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 28, 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 amended Complaint on September 2, 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 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 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2026. The Response was filed with the Center on September 11, 2026.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on October 5, 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 Delaware (United States) limited liability company headquartered in Boise, Idaho, United States. The Panel notes that the Complainant is evidently a subsidiary of Boise Cascade, the North American wood products group, as indicated on the page devoted to the Complainant on the Boise Cascade website at “www.bc.com/distribution”.¹

The Complainant holds United States Trademark Registration Number 3594231 (registered on March 24, 2009) for the composite mark BROSCO SINCE 1890 in International Classes 6 and 19, in which the word “BROSCO” is prominent.

The Complaint does not describe its business or the use of this mark apart from this conclusory statement: “The Complainant’s BROSCO Mark has acquired distinctiveness through extensive, continuous, and prominent use in connection with doors and related millwork products. The Complainant has used the BROSCO Mark continuously since at least as early as 1970 and has invested considerable resources in building goodwill under the BROSCO name, resulting in strong brand recognition in the United States.”

In fact, the Complainant obtained this trademark registration by assignment from Brockway-Smith Company on April 7, 2025. According to a press release on the Boise Cascade website, Boise Cascade acquired Brockway-Smith Company (BROSCO), a wholesale distributor of doors and millwork in the Northeast of the United States, in 2023. The Complaint does not offer evidence concerning the use of the BROSCO SINCE 1890 mark by the Complainant or its predecessor. The mark does not appear on the Boise Cascade website and is not listed in the “Trademarks” exhibit published on that website. However, the Panel notes that there is a website at “www.brosco.com” advertising windows, doors, millwork, and building materials branded with both the Complainant’s BROSCO SINCE 1890 composite mark and a BOISE CASCADE composite mark. This “Complainant’s BROSCO website” offers such products and services available in three cities in the State of Maine, United States. The Panel notes that the Internet Archive’s Wayback Machine has screenshots of such a website since 1997 displaying the BROSCO SINCE 1890 composite mark and advertising millwork products in “New England and Eastern New York”.

The disputed domain name was registered on February 10, 2025, and is registered to the Respondent, an individual named Matthew Brossman, who lists a postal address in the State of Arizona, United States and a Gmail contact email address. According to the Response, Mr. Brossman is a general contractor in the State of Arizona who specializes in underground utilities and commercial buildings.

The disputed domain name resolves to the Respondent’s website headed “BROSCO CONSTRUCTION”, with the tagline, “Building Your Commercial Property Dreams Together”. The site consists of a landing page with a contact form and a tick box to sign up for updates and promotions. The copyright notice is in the name of “Brosco Construction”.

The Panel notes that the online database of the Arizona Corporation Commission shows that Brosco Construction LLC is an active limited liability company formed under Arizona law on March 31, 2025, listing Matthew Brossman as its sole member. The Panel notes further that the online database of the Arizona Registrar of Contractors shows that Brosco Construction LLC has been a licensed general contractor since June 19, 2025, with Matthew Brossman listed as one of the “Qualifying Parties” for the company.

¹ Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8.

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 identical or confusingly similar to its registered BROSCO SINCE 1890 mark. The Complainant asserts that the Respondent has no authorization to use the mark, is not commonly known by the disputed domain name, and does not operate any legitimate business under that name. Rather, according to the Complainant, the Respondent is using the Complainant's mark in bad faith to divert Internet traffic to its own site for commercial gain, targeting "the identical class of sophisticated commercial customers – developers, general contractors, and property owners – who specify, purchase, and install the very materials the Complainant distributes under the BROSCO Mark." The Complainant argues that the Respondent had actual and constructive knowledge of the Complainant's long-established BROSCO mark and no credible reason for choosing an identical domain name to market services in the same industry.

B. Respondent

In a brief Response, the self-represented Respondent does not challenge the Complainant's trademark claims but essentially asserts a legitimate interest in the disputed domain name and denies bad faith in its registration and use:

"Brosco Construction LLC is a general contractor that is solely based in Arizona. [The disputed domain name] was derived from Matthew Brossman's last name. We specialize in underground utilities and ground up commercial buildings. Our work is subcontracted out, and we do not manufacture, stock or [sell] straight to consumer any of the materials listed in the complaint. [The disputed domain name] does not interfere with traffic that is driven specifically to the complainant's domain name of BROSCO or brosko.com. We do not operate in any way a website that allows commerce it is only used for the exchange of information. It is our position that the use of [the disputed domain name] does not interfere with [the Complainant's] sales, nor does it lead to any loss in revenue."

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (the registered composite mark BROSCO SINCE 1890) for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the prominent textual element "BROSCO" of the mark is recognizable 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, "construction") 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.

The Panel finds that, before notice to the Respondent of the dispute, the Respondent used the disputed domain name in connection with a bona fide offering of goods or services (Policy paragraph 4(c)(i)). [WIPO Overview 3.1](#), section 2.2. The Respondent's website is not an ecommerce site used to advertise and accept orders and payments for goods, but the Panel does not read the Policy example as restricted to such a use. While the website has limited functionality and appears to have been created through a Registrar website construction tool, the Panel notes that the heading and copyright identify the Respondent as "Brosco Construction", no use is made of "Brosco" alone or the Complainant's BROSCO SINCE 1890 mark. Moreover, as recounted above, the Respondent is the principal of a registered limited liability company that is a licensed general contractor in the State of Arizona, and the Respondent's website is used to communicate with prospective clients. This is a use "in connection with" a bona fide offering of goods or services.

The Panel finds further that the Respondent has been "commonly known" by the disputed domain name or a name corresponding to the disputed domain name within the meaning of the Policy, paragraph 4(c)(ii). [WIPO Overview 3.1](#), section 2.3. As noted above, the Respondent is the principal of Brosco Construction LLC, a registered limited liability company in Arizona, and this company is a licensed general contractor in Arizona, with the Respondent publicly listed as a "Qualifying Party" acting for this general contractor.

These facts would suffice to establish the Respondent's legitimate interests in the disputed domain name, unless the Complainant prevailed on its theory that the Respondent selected the disputed domain name and, presumably, the business name as well in bad faith in an effort to create confusion as to source or affiliation with the Complainant and therefore could not claim a "legitimate" interest in the disputed domain name. That theory is tested in the following section.

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. The Complainant cites the example described in paragraph 4(b)(iv), intentionally creating confusion with the Complainant's mark to attract Internet users for commercial gain.

This argument is, of course, based on the Complainant's presumption that the Respondent had "actual and constructive knowledge" of the Complainant's mark and found value in targeting it because the Parties seek "the identical class of sophisticated customers". The Complainant argues that the Respondent had no other reason to choose a name incorporating the textual element "BROSCO" from its composite mark. In fact, the Respondent's family name is "Brossman", and he plausibly claims to have named his construction company "Brosco Construction LLC" with reference to his family name. There is no evidence on this record that the Respondent is a competitor of the Complainant. The Respondent's company is a general contractor licensed only in the State of Arizona specializing in commercial properties and does not manufacture or sell the kinds of products distributed by the Complainant in the State of Maine. The Panel does not consider it likely that the Respondent would name a general contracting business corresponding to his family name as a pretext for exploiting the mark of a company selling unrelated window and door products to homeowners and builders on the other side of the country.

The evidence in the case file as presented does not indicate that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's trademark.

The Panel finds the third element of the Policy has not been established. Based on the same factual analysis, the Panel also confirms its finding on the second element of the Policy.

7. Decision

For the foregoing reasons, the Complaint is denied.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: October 13, 2026