ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Spark Fun Electronics Inc. v. paytonn paytonn
Case No. D2026-4126

1. The Parties

The Complainant is Spark Fun Electronics Inc., United States of America ("United States"), represented by Forge IP, PLLC, United States.

The Respondent is paytonn paytonn, United States.

2. The Domain Name and Registrar

The disputed domain name <sparkfunelectronics.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 September 14, 2026. On September 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 17, 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 (Unknown / The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 17, 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 September 17, 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 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 9, 2026.

The Center appointed William F. Hamilton as the sole panelist in this matter on October 12, 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 Colorado, United States, corporation incorporated on September 17, 2004, with its principal office in Niwot, Colorado, United States (Annexes 10 and 11 to the Complaint). The Complainant sells electronic components, development boards, kits, and related products, and provides training services in the field of electronics, through its website at <sparkfun.com> (Annexes 14, 16, and 23 to the Complaint). The Complainant holds Colorado trade name certificates for "Spark Fun Electronics" (September 27, 2004), "SparkFun" (February 21, 2008), and "SparkFun Electronics" (August 25, 2014) (Annexes 8, 12, and 13 to the Complaint).

The Complainant owns United States Trademark Registration No. 7,097,019 for SPARKFUN in standard characters, registered on July 4, 2023, in International Classes 9 and 42, claiming first use in commerce in Class 9 on September 27, 2004 (the "SPARKFUN Mark") (Annex 7 to the Complaint). The Complainant also owns United States Trademark Registration No. 3,816,287, registered on July 13, 2010, in International Classes 9 and 41, for a mark consisting of the stylized word "sparkfun" in black, with a red flame logo above the word and the word "electronics" below (the "SPARKFUN ELECTRONICS Mark", and together with the SPARKFUN Mark, the "Marks") (Annex 9 to the Complaint). The registration disclaims the exclusive right to use "electronics" apart from the mark as shown. Declarations of use were filed for the registration in 2015 and 2020 (Annex 14 to the Complaint).

The disputed domain name <sparkfunelectronics.com> was registered on April 19, 2026 (Annex 1 to the Complaint). The disputed domain name resolves to an English-language website that displays a logo corresponding to the SPARKFUN ELECTRONICS Mark and lists products under names such as "SparkFun Thing Plus - RP2350 (Ding and Dent)", with "Add to cart" functions and prices shown as reductions from higher prices (Annexes 5 and 6 to the Complaint). For example, the product page for the SparkFun Thing Plus - RP2350 (Ding and Dent) shows a price of USD 5.98, reduced from USD 19.95, and states "1000 in stock" (Annex 6 to the Complaint). Screenshots taken by the Center on September 18, 2026, show the website continuing to list products at discounted prices, including the SparkFun Thing Plus - RP2350 (Ding and Dent) and the SparkFun LoRaSerial Kit - 915MHz.

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.

The Complainant contends that it owns registered rights in the SPARKFUN Mark and the SPARKFUN ELECTRONICS Mark and has used SPARKFUN and SPARKFUN ELECTRONICS as trade names and marks for two decades. The Complainant contends that the disputed domain name incorporates the SPARKFUN Mark in its entirety and, apart from the omitted space and the ".com" generic Top-Level Domain ("gTLD"), is identical to the SPARKFUN ELECTRONICS name and to the textual portion of the SPARKFUN ELECTRONICS Mark, and that the added term "electronics" describes the Complainant's field of business and is the second word of the SPARKFUN ELECTRONICS Mark.

The Complainant contends that it has not authorized or licensed the Respondent to use the Marks. The Complainant contends that the Respondent's website displays the registered logo and uses the SPARKFUN name in product names to suggest that the website is operated by, authorized by, or affiliated with the Complainant, that such use is not bona fide or fair, and that the Respondent has not been commonly known by the disputed domain name.

The Complainant contends that the Respondent registered and used the disputed domain name in bad faith. The Complainant contends that the Respondent targeted the Complainant, as shown by the composition of the disputed domain name, the display of the registered logo, and the use of SparkFun product names on a website selling electronics products of the type the Complainant sells, and that the website impersonates the Complainant to attract Internet users for commercial gain, within paragraph 4(b)(iv) of the Policy. The Complainant further contends that, to the extent the Respondent is a competitor, paragraph 4(b)(iii) of the Policy also applies.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant's registrations establish its rights in the SPARKFUN Mark and the SPARKFUN ELECTRONICS Mark. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.2.1. The SPARKFUN ELECTRONICS Mark includes design elements. Design elements that cannot be represented in a domain name are largely disregarded, and the comparison focuses on the textual elements, here SPARKFUN and ELECTRONICS. The disclaimer of "electronics" does not alter the comparison, because "sparkfun", the dominant textual element, is not disclaimed. WIPO Overview 3.1, sections 1.2.3 and 1.10.

The standing test for confusing similarity is a side-by-side comparison of the disputed domain name and the mark, and a domain name that incorporates the entirety of a mark is normally considered confusingly similar to it. WIPO Overview 3.1, section 1.7. The disputed domain name reproduces the SPARKFUN Mark in its entirety and reproduces the textual elements of the SPARKFUN ELECTRONICS Mark. The gTLD ".com" is disregarded under the first element. WIPO Overview 3.1, section 1.11.1. Adding the term "electronics" to the SPARKFUN Mark does not prevent a finding of confusing similarity, although its nature may bear on the second and third elements. WIPO Overview 3.1, section 1.8. The Panel finds the disputed domain name is confusingly similar to the Marks for purposes of the UDRP.

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.

The Complainant states that it has not authorized or licensed the Respondent to use the Marks, and the Respondent has not contended otherwise. The Registrar identified the registrant as "paytonn paytonn", which does not correspond to the disputed domain name. The Respondent used the disputed domain name <sparkfunelectronics.com> for a website that displays a logo corresponding to the SPARKFUN ELECTRONICS Mark, lists products under the SparkFun name, and offers them for sale (Annexes 5 and 6 to

the Complaint). That use is not a bona fide offering of goods or services and is not a legitimate noncommercial or fair use. Further, a domain name that consists of a mark plus an additional term cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. WIPO Overview 3.1, section 2.5.1.

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.

Panels have held that the use of a domain name for illegal activity, here impersonation and passing off by way of a website displaying the Complainant's logo and product names, can never confer rights or legitimate interests on a 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 a domain name in bad faith. In the present case, the Panel notes that the Respondent used the disputed domain name to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Marks, within paragraph 4(b)(iv) of the Policy.

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

The disputed domain name combines the SPARKFUN Mark with "electronics", which describes the Complainant's field of business and is the second word of the SPARKFUN ELECTRONICS Mark.
The Complainant's registrations and use of the Marks predate the registration of the disputed domain name in April 2026. The Respondent's website displays a logo corresponding to the SPARKFUN ELECTRONICS Mark and lists products under the SparkFun name (Annexes 5 and 6 to the Complaint). The Panel concludes that the Respondent therefore targeted the Marks. WIPO Overview 3.1, section 3.2.2.

The Respondent used the disputed domain name to impersonate the Complainant. The website offers products for sale at discounted prices under the Complainant's name and logo (Annexes 5 and 6 to the Complaint). The website solicits sales, and the disputed domain name and the website content are likely to lead Internet users to believe that the website originates with, or is affiliated with, the Complainant. That use falls within paragraph 4(b)(iv) of the Policy. Panels have held that the use of a domain name for illegal activity, here impersonation and passing off, constitutes bad faith. WIPO Overview 3.1, section 3.1.4.

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 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 <sparkfunelectronics.com> be transferred to the Complainant.

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: October 24, 2026