ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Grand Ole Opry IP, LLC v. Tobin Mathers and Julie Hughes, Nashville Tradition Inc.
Case No. D2026-4171

1. The Parties

The Complainant is Grand Ole Opry IP, LLC, United States of America ("United States"), represented by Adams and Reese LLP, United States.

The Respondents are Tobin Mathers, United States, and Julie Hughes, Nashville Tradition Inc., United States.

2. The Domain Names and Registrars

The disputed domain name <opry.shop> is registered with Dynadot Inc. ("Registrar 1").

The disputed domain name <theopryshop.com> is registered with GoDaddy.com, LLC ("Registrar 2").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 17, 2026. On September 17, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On September 18, 2026, Registrar 1 transmitted by email to the Center its verification disclosing registrant and contact information for disputed domain name <opry.shop> which differed from the named Respondent (Registration Private) and contact information in the Complaint. On September 17, 2026, Registrar 2 transmitted by email to the Center its verification disclosing registrant and contact information for disputed domain name <theopryshop.com> 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 September 18, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants, or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that the two domain names are under common control. The Complainant filed an amended Complaint on September 22, 2026.

The Center verified that the Complaint together with 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 Respondents of the Complaint, and the proceedings commenced on September 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 14, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 15, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on October 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 the owner and proprietor of the OPRY trademark which has been used since 1927 in connection with live music concerts and other entertainment services, including facilitating online ticket sales for such events, as well as various merchandise. The Grand Ole Opry is both a weekly performance showcase featuring country music performers and an event venue located in Nashville, Tennessee, United States. The Grand Ole Opry radio show, which adopted its name in 1927, is the longest continuous country music radio show broadcast in history. In addition, the Complainant televises and streams its performances, including the weekly "Opry Live" broadcast on Saturday evenings via the Opry's Facebook, YouTube channels and Circle Country digital streaming partners. Hundreds of artists have entertained, and still entertain, as Grand Ole Opry members, and induction as a member to the Grand Ole Opry is regarded as the official confirmation of a country music performer's talent. The Complainant owns a number of trademark registrations for the OPRY mark around the world, including the following in the United States:

- Trademark Registration Number 75737322 registered on February 10, 2004;
- Trademark Registration Number 75737547 registered on May 18, 2004;
- Trademark Registration Number 75737585 registered on May 10, 2005, and
- Trademark Registration Number 87029919 registered on December 20, 2016.

Further, the Complainant and its licensees own a number of domain names incorporating the OPRY mark including <opry.com> and <grand0leopry.com>, both registered on May 9, 1999. The Complainant operates its principal website at <opry.com> and its online retail store, "The Opry Shop," at <shop.opry.com>.

The Respondents appear to be individuals with addresses in the United States.

The disputed domain name <opry.shop> was registered on May 17, 2026. At the time of the filing of the Complaint, it resolved to an online store prominently displaying "THE OPRY SHOP" and offering merchandise such as clothing, hats, boots, music, gifts, and souvenirs, bearing the OPRY and GRAND OLE OPRY marks, as well as other marks of the Complainant and its affiliates. It also displayed product photographs and prices for the merchandise, with many items advertised at discounts of 65%. It included customer account sign-in facilities, shipping and return information, and a contact form. Its contact page identified "[…]@theopryshop.com" as the customer service email address, and its footer displayed "© 2026 The Opry Shop. All rights reserved."

The disputed domain name <theopryshop.com> was registered on October 2, 2018. At the time of the filing of the Complaint, it resolved to a registrar parking page displaying pay-per-click ("PPC") links to terms such as "The Opry Shop Nashville", "The Opry Shop Discount Code", and "The Opry Shop Reviews."

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for transfer of the disputed domain names.

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to its OPRY mark because they incorporate the mark in its entirety. The Complainant submits that the ".shop" Top-Level Domain in <opry.shop> and the addition of "the" and "shop" in <theopryshop.com> do not prevent a finding of confusing similarity.

The Complainant also contends that the Respondents have no rights or legitimate interests in the disputed domain names. The Complainant submits that neither Respondent is commonly known by the disputed domain names or has been licensed or otherwise authorized to use the Complainant's mark. Further, the Complainant contends that the online store at <opry.shop> uses the Complainant's trademarks and copyrighted images without authorization, and that the trademark-related PPC links at <theopryshop.com> do not constitute bona fide offerings of goods or services or legitimate noncommercial or fair use.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. The Complainant contends that the Respondents must have known of the Complainant when registering the disputed domain names given the longstanding use and reputation of the OPRY mark and that the disputed domain names were used to intentionally attempt to attract Internet users for commercial gain by creating confusion as to affiliation, sponsorship, or endorsement. The Complainant further alleges that the copycat store was likely used to sell counterfeit goods and/or collect shoppers' financial information.

B. Respondent

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the disputed domain names are subject to common control despite the different registrant details. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel considers whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the website at <opry.shop> identified "(…)@theopryshop.com" as its customer service email address, supporting an operational connection between the two disputed domain names. Based on this, the Panel finds that on the balance of probabilities, the disputed domain names are subject to common control despite the different registrant details, registrars, and registration dates. Neither Respondent has contested the Complainant's evidence or provided any contrary explanation.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. Both Respondents were afforded an opportunity to respond to the Complaint, including the consolidation request, and neither has objected.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding. The Respondents are referred to collectively below as "the Respondent".

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 disputed domain name <opry.shop> consists solely of the OPRY mark and is therefore identical to the mark for the purposes of the Policy.

As for <theopryshop.com>, it contains the OPRY mark in its entirety, and therefore it is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7. Although the other terms – here, "the" and "shop" – may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant submits that the Respondent may have offered counterfeit goods through the website at the disputed domain name <opry.shop>, but the Panel need not determine whether the advertised goods were counterfeit. Even if the OPRY-branded goods offered on the website were genuine, the use of the disputed domain name would fail the "Oki Data test". *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No.

D2001-0903. Panels have recognized that resellers and distributors using a domain name containing the brand owner's trademark to undertake sales of the brand owner's goods may be making bona fide offering of goods and services and thus have a legitimate interest in such domain name, as long as the cumulative requirements are met under the "Oki Data test":

(i) the respondent must actually be offering the goods or services at issue;

(ii) the respondent must use the site to sell only the trademarked goods or services;

(iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and

(iv) the respondent must not try to "corner the market" in domain names that reflect the trademark.

Here, the Respondent fails on condition (iii) as the webpages in evidence do not accurately and prominently disclose the Respondent's lack of affiliation with the Complainant. Therefore, the Respondent cannot establish rights or legitimate interests in <opry.shop> on the basis of a bona fide reseller offering.

The website at <opry.shop> displays "THE OPRY SHOP" in large letters in the same font and color as the Complainant does on its own actual online shop, along with the notice "© 2026 The Opry Shop. All rights reserved." Taken together, the domain name and website content misleadingly suggested that the store was operated or authorized by the Complainant.

In addition, Panels have held that the use of a domain name for illegitimate activity – here, passing off – can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Moreover, UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. WIPO Overview 3.1, section 2.5.1. Here, the disputed domain name <opry.shop> is identical to the Complainant's trademark, and therefore, is likely to mislead Internet users into believing that the shop at the disputed domain name is related to and/or operated by the Complainant, contrary to the fact.

As for the disputed domain name <theopryshop.com>, it previously resolved to a parking page displaying PPC links specifically referring to the Complainant's store, including "The Opry Shop Nashville" and "The Opry Shop Discount Code." Although the Complaint does not identify the links' destination websites, their express references to the Complainant's store, considered together with the composition of the disputed domain name, support an inference that the parking page sought to capitalize on the goodwill associated with the OPRY mark. Such use does not constitute a bona fide offering of goods or services or legitimate noncommercial or fair use. WIPO Overview 3.1, section 2.9.

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 Complainant's longstanding use and registrations of the OPRY mark substantially predate the registration of both disputed domain names, including the earlier creation date of <theopryshop.com> in 2018. The Panel has considered the reputation of the Complainant's mark, the composition of the disputed domain names, and their documented uses specifically referring to the Complainant and its merchandise. On the balance of probabilities, these circumstances support a finding that the Respondent knew of the Complainant and targeted its trademark when registering the disputed domain names.

The Respondent used <opry.shop> for an online store presenting itself as “THE OPRY SHOP” and advertising merchandise bearing the Complainant’s and its affiliates’ marks. The website’s branding, product listings, and copyright notice misleadingly suggested that it was operated or authorized by the Complainant. The Panel finds that this use was intended to attract potential customers for commercial gain by creating confusion concerning the store’s source or authorization, falling within paragraph 4(b)(iv) of the Policy.

The Respondent also used <theopryshop.com> for a parking page displaying PPC links with terms referring to the Complainant’s store. Although the Complaint does not identify the links’ destination websites, their express references to the Complainant’s store, together with the composition of the disputed domain name, support an inference of deliberate targeting for commercial gain. In these circumstances, the Panel finds that this use was intended to monetize Internet traffic attracted by the Complainant’s mark and likewise falls within paragraph 4(b)(iv).

Panels have also held that the use of a domain name for illegal activity – here, passing off – constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain names constitute 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 names <opry.shop> and <theopryshop.com> be transferred to the Complainant.

/Kathryn Lee/
Kathryn Lee
Sole Panelist
Date: November 4, 2026