ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Smith & Wesson Inc. v. Name Redacted
Case No. D2026-4366

1. The Parties

The Complainant is Smith & Wesson Inc., United States of America ("United States"), represented by Ballard Spahr LLP, United States.

The Respondent is Name Redacted.[1]

2. The Domain Name and Registrar

The disputed domain name <smithwessons.com> is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 28, 2026. On September 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 October 2, 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 October 7, 2026.

[1] This Respondent appears to have used the name of an employee of the Complainant 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Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case.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.

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 October 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 29, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on November 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 firearms manufacturer established in 1852 in the United States. The Complainant supplies firearms, firearm accessories, and other personal defense and sporting products to customers worldwide under the SMITH & WESSON mark. Its net sales for fiscal year 2026 were over USD 523 million, and its products have been featured in news articles, movies, and television shows over the years. The Complainant owns trademark registrations for the SMITH & WESSON mark in 70 countries, including the following in the United States: Trademark Registration Number 95,164, registered on February 3, 1914; Trademark Registration Number 4,232,135, registered on October 30, 2012; and Trademark Registration Number 6,887,254, registered on November 1, 2022. The Complainant uses the domain name <smith-wesson.com>, registered on September 15, 1995, for its official website.

The disputed domain name was registered on August 10, 2026, and resolves to an under-construction webpage. On the other hand, the disputed domain name was used in connection with a fake invoice scheme; an email address generated from the disputed domain name was used in the "Reply-To" field of an email sent to a third party requesting payment on an invoice.

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 confusingly similar to its SMITH & WESSON mark because the disputed domain name reproduces the mark exactly except without the ampersand and with the letter "s" at the end. The Complainant submits that this constitutes classic typosquatting.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has not been licensed or otherwise authorized to use the Complainant's mark and is not commonly known by the disputed domain name. The Complainant submits that the disputed domain name is being used in a fraudulent email impersonation scheme, which cannot constitute a bona fide offering of goods or services or legitimate noncommercial or fair use. It further submits that the disputed domain name carries a risk of implied affiliation with the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It relies on the longstanding use and reputation of its mark, the composition of the disputed domain name, and the use of that disputed domain name in an email scheme seeking payment of a fraudulent

invoice. It also contends that the registrant contact details misuse the identity of an employee of the Complainant, and that the absence of an active substantive website does not prevent a finding of bad faith.

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 Panel finds the mark is recognizable within the disputed domain name. Further, the minor variations in the disputed domain name represent a case of typosquatting. Previous UDRP panels have concluded that a domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered confusingly similar to the relevant trademark for the purposes of the first element. See WIPO Overview 3.1, section 1.9.

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 Respondent has not been authorized to use the Complainant's SMITH & WESSON mark, and there is no evidence that the Respondent is commonly known by the disputed domain name. The use of a name corresponding to that of the Complainant's employee in the registration details does not, in these circumstances, establish any independent right or legitimate interest.

The disputed domain name was used in the "Reply-To" field of an email requesting payment on a fraudulent invoice. Having considered that email and the lack of any response from the Respondent, the Panel finds that the disputed domain name was used as part of a fraudulent email impersonation scheme. Panels have held that the use of a domain name for illegitimate activity – here, a fraudulent email impersonation scheme – can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Moreover, the disputed domain name is a deliberate misspelling of the Complainant's mark and official domain name. The subtle nature of the variation, which is easily overlooked, indicates that it was clearly chosen to deceive Internet users and email recipients into believing they are dealing with the Complainant. The disputed domain name therefore carries a risk of implied affiliation, a false impression reinforced by its use in misleading email communications. WIPO Overview 3.1, section 2.5.1.

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.

First, the Complainant's mark is well known in connection with firearms. Panels have found that the mere registration of a domain name that is confusingly similar to a well-known trademark can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4.

Further, the typosquatting nature of the disputed domain name, the use of the name of one of the employees of the Complainant in the registration details, and the use of the email address generated from the disputed domain name in a fraudulent email establish, on the balance of probabilities, that the Respondent knew of the Complainant and its mark and targeted the Complainant when registering the disputed domain name.

In addition, panels have held that the use of a domain name for illegitimate activity – here, a fraudulent email impersonation scheme – constitutes bad faith. WIPO Overview 3.1, section 3.4.

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 <smithwessons.com> be transferred to the Complainant.

/Kathryn Lee/
Kathryn Lee
Sole Panelist
Date: November 13, 2026