

ADMINISTRATIVE PANEL DECISION

Hatch Baby, Inc. v. no, lar frank
Case No. DCO2026-0023

1. The Parties

The Complainant is Hatch Baby, Inc., United States of America (“United States”), represented by Sisun Law, United States.

The Respondent is no, lar frank, Philippines.

2. The Domain Name and Registrar

The disputed domain name <hatchmall.co> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 11, 2026. On March 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 12, 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 (User #ed4506f2 Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 13, 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 March 18, 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 March 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 20, 2026.

The Center appointed Simone Lahorgue Nunes as the sole panelist in this matter on April 24, 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, founded in 2012, is headquartered in the United States. The Complainant is “a technology company that develops smart sleep devices, sound machines, nightlights, and related mobile applications designed to help infants, children, and families establish healthy sleep routines”.

The Complainant has provided evidence of being the right holder of the trademark HATCH. For instance: United States trademark registrations No. 5943618, registered on December 24, 2019 (HATCH); No. 7644657, registered on January 7, 2025 (HATCH SLEEP); and No. 7965074, registered on September 30, 2025 (HATCH REST).

Furthermore, the Complainant asserts that it is the owner of the domain name <hatch.co>.

The disputed domain name was registered by the Respondent on February 11, 2026. The website resolves to a page featuring content similar to that of the Complainant, reproducing the Complainant’s logo.

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

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 it “has invested tremendous time, effort, and resources to build highly valuable goodwill in the Hatch Marks and establish well-recognized distinctiveness therein. Complainant’s <hatch.co> website has attracted on average over 1,016,000 visitors or ‘eyeballs’ per month in traffic from February 2025 to February 2026”.

The Complainant argues that it “has senior rights over Respondent in and to the Hatch Marks as it has had continuous use and registration in the Hatch Marks for 11 years before Respondent registered the Disputed Domain Name at issue”.

The Complainant affirms that “Respondent’s use of the Hatch Marks within the Disputed Domain Name is likely to cause consumer confusion as consumers are likely to confuse it with Complainant and will inadvertently access the hatchmall.co website where they will see familiar yet infringing wording and goods similar to those at the authentic <hatch.co> website, and consumers will be misled to believe the goods shown on the website are sourced from or associated with Complainant and could lead to consumer confusion and a decrease in the goodwill associated with the Hatch Marks”.

According to the Complainant, the “Respondent’s disputed <hatchmall.co> domain is confusingly similar to Complainant’s Hatch Marks”. In addition, the Complainant argues that the Respondent created the disputed domain name by adding the generic, descriptive term “mall” to the HATCH trademark. In this regard, the Complainant argues that the “mere addition of this non-distinctive term does not lessen the likelihood of continued confusion as to the source of goods and services if Respondent is permitted to continue its infringing use of the Complainant’s mark through the <hatchmall.co> domain”. In this sense, the

Complainant contends that “the ‘.co’ country-code top-level domain (“ccTLD”) used in connection with the Disputed Domain Name does not alter the overall commercial impression of the marks.”

Furthermore, the Complainant contends that the “Respondent has no legitimate rights or interests in the Disputed Domain Name because Respondent does not operate a legitimate business under the name and does not own any registered trademark rights in respect of the mark. The WHOIS database report for the Disputed Domain Name lists no contact information for Respondent, and there is no evidence to suggest that the Respondent has been commonly known by the Disputed Domain Name”.

The Complainant asserts that the “Respondent received no authorization from Complainant to use or register the Hatch Marks, or a colorable imitation thereof, including as part of the Disputed Domain Name which is likely to cause confusion”.

Furthermore, the Complainant contends that the Respondent is not commonly known by the disputed domain name, as evidenced by the absence of any reference to an entity known as “HATCH” in the corresponding WhoIS information.

The Complainant argues that the Respondent cannot use “the domain name (or a name corresponding to the domain name) in connection with a bona fide offering of goods or services as set forth in Policy [paragraph] 4(c)(i). The evidence shows that Respondent is using the confusingly similar domain name to operate a website that purports to provide goods and services identical to and competing with those of Complainant, coupled with its attempt to pass itself off as Complainant through its use of the Hatch Marks”.

In addition, the Complainant contends that when “a respondent’s websites use domain names that are identical or highly similar to the complainant’s mark, and the websites are used to profit from diversionary tactics, the respondent is assumed to have registered and to use the domain names in bad faith”.

The Complainant argues that “given the fact that Complainant has used the Hatch Marks in commerce since at least as early as 2015, and that Respondent purports to offer goods and services identical to those of Complainant, it is inconceivable that Respondent was unaware of Complainant’s mark, particularly given that Respondent is not only using the confusingly similar Disputed Domain Name. Respondent is also using Complainant’s Hatch Marks, the HATCH Logo, and Complainant’s content.”

Finally, the Complainant requests the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

The analysis of the Complainant’s arguments and of the presented evidence leads to the conclusion that the Complaint should be upheld, based on the following grounds:

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 entirety of the mark is reproduced 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 term here, “mall”, 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.

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 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 consistently held that the use of domain names for illegitimate activity, including passing off, can never confer rights or legitimate interests on a respondent (see [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 the Respondent’s bad faith registration and use of the disputed domain name for the following reasons:

First, the use of the HATCH trademark in the disputed domain name with the addition of the term “mall” suggests that the Respondent has registered the disputed domain name with the actual knowledge of the Complainant and its trademarks, and has done so in an attempt to create a likelihood of confusion with the Complainant.

Second, it is clear that the Respondent lacks rights or legitimate interests in the disputed domain name, and this is reinforced by the fact that there is no credible explanation for the Respondent’s choice of the disputed domain name, as the Respondent did not reply to the Complainant’s contentions. [WIPO Overview 3.1](#), section 3.2.1.

Third, the Respondent's prior use of the disputed domain name to redirect users to a website that copied the Complainant's official website (including its design, color scheme, and logo) and that also purports to offer the same products as the Complainant, demonstrates a clear intent to impersonate the Complainant and leads to a finding of bad faith.

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 <hatchmall.co> be transferred to the Complainant.

/Simone Lahorgue Nunes/

Simone Lahorgue Nunes

Sole Panelist

Date: May 8, 2026