

ADMINISTRATIVE PANEL DECISION

Bridgewell Resources v. Addison Greer
Case No. D2024-0248

1. The Parties

Complainant is Bridgewell Resources, United States of America, represented by Soteria LLC, United States of America.

Respondent is Addison Greer, United States of America.

2. The Domain Name and Registrar

The disputed domain name <bridgewellresources.club> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 19, 2024. On January 22, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 2024, 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 January 23, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on January 24, 2024.

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 Respondent of the Complaint, and the proceedings commenced on January 26, 2024. In accordance with the Rules, paragraph 5, the due date for Response was February 15, 2024. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on February 21, 2024.

The Center appointed Jeffrey M. Samuels as the sole panelist in this matter on February 27, 2024. 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

Complainant Bridgewell Resources is a global trader of agricultural, food, construction mats, utility and wood products, as well as renewable resources. It serves a wide array of customers, including utilities, building and construction suppliers, contractors, industrial manufacturers and processors, packaged food companies, governments, and other entities worldwide.

Complainant owns United States Trademark Registration No. 5166422 for the mark BRIDGEWELL RESOURCES, which issued on March 21, 2017. Complainant's website is found at "www.bridgewellresources.com".

The disputed domain name, <bridgewellresources.club>, was registered on January 13, 2024, and resolves to a website that mimics Complainant's "www.bridgewellresources.com" website.

5. Parties' Contentions

A. Complainant

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

Complainant first asserts that the disputed domain name is identical to its registered BRIDGEWELL RESOURCES trademark.

Complainant next contends that Respondent has no rights or legitimate interests in respect of the disputed domain name. Complainant indicates that Respondent is neither affiliated nor authorized by Complainant to register or use the BRIDGEWELL RESOURCES trademark and that Respondent has not used, or prepared to use, the disputed domain name in connection with a bona fide offering of goods or services. Complainant also maintains that there is no evidence that Respondent is commonly known by the disputed domain name and has displayed no intent to use the disputed domain name for legitimate business.

With respect to the issue of "bad faith" registration and use, Complainant argues that its BRIDGEWELL RESOURCES trademark is a "unique, non-dictionary keyword" and that the disputed domain name "strongly suggests that the registrant is aware of Bridgewell Resources and their brand elements, and [it] is highly unlikely that the registration of the disputed domain name was coincidental." According to Complainant, the disputed domain name poses a significant and valid security threat to Complainant that could be exploited to mount extremely effective phishing attacks or launch scam campaigns against Complainant's employees, partners, and customers.

B. Respondent

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical or confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 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 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

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 evidence indicates that Respondent uses a domain name that, for all intents and purposes, is identical to Complainant's trademark in connection with a website that mimics Complainant's "www.bridgewellresources.com" website. As set forth in the case file, the respective websites look the same and contain the same verbiage and links, including a link to "products." This supports a determination that Respondent, in registering the disputed domain name, specifically and deliberately targeted Complainant and its mark. The evidence further supports a determination that Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant's mark.

The Panel finds that 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 <bridgewellresources.club> be transferred to Complainant.

/Jeffrey M. Samuels/

Jeffrey M. Samuels

Sole Panelist

Date: March 8, 2024