Decision for dispute CAC-UDRP-108222

Case number	CAC-UDRP-108222
Time of filing	2025-12-11 03:26:56
Domain names	chewystoreus.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Chewy, Inc.

Complainant representative

Organization	RODENBAUGH LAW LLC

Respondent

Name	Renata Legrand

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns several word mark registrations, including the following:

United States Reg. No. 4,346,308, CHEWY.COM, registered on June 4, 2013 in International Class 35;

European Union Reg. No. 916605834, CHEWY, registered on August 10, 2027 in International Class 35;

and United States Reg. No. 5,834,442, CHEWY, registered on August 13, 2019 in International Class 35.

FACTUAL BACKGROUND

Founded in 2011, the Complainant, Chewy, Inc., operates one of the largest online retail stores, providing pet supplies and pet wellness-related services. The Complainant operates the website at “www.chewy.com”. It owns numerous trademark registrations for the CHEWY mark and other CHEWY-formative marks in many jurisdictions.

The disputed domain name <chewystoreus.com> was registered on November 28, 2025. It resolves to a website displaying the CHEWY mark and offering pet products for sale.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it, for the following reasons.

The Complainant owns the trademark registrations set out above. The Complainant's CHEWY marks are also famous, as determined in several prior UDRP decisions. See, e.g., Chewy, Inc. v. david almarin, Case No. D2022-3808 (WIPO Jul. 28, 2023). The disputed domain name <chewystoreus.com> is confusingly similar to the Complainant's CHEWY mark.

The Respondent has no rights or legitimate interest in the <chewystoreus.com> domain name. The Respondent has never been authorized by the Complainant to use the CHEWY marks in any manner and the domain name was registered long after the Complainant registered the CHEWY marks and established extensive goodwill. The domain name does not reflect the Respondent's common name. It currently resolves to a counterfeit website purporting to offer pet-related products under the CHEWY marks. Accordingly, the Respondent is monetizing the domain name by trading on the goodwill associated with the CHEWY marks to confuse Internet users into visiting the Respondent's website where the Respondent purports to offer deals for competing retail goods. Such use does not constitute any legitimate bona fide sale of goods or services or legitimate non-commercial or fair use. The Respondent cannot make any claim to be a reseller with a right or legitimate interest in the domain name, for the Respondent does not accurately disclose its lack of a relationship or affiliation with the trademark owner, namely, the Complainant. See Oki Data Americas, Inc. v. ASD, Inc., Case No. D2001-0903 (WIPO Nov. 6, 2001). Instead, the Respondent falsely holds out its website to be an official Chewy online shop or site for pet-related products. Thus, the Respondent falsely declares it is Chewy itself, which can never be deemed a legitimate interest under the Policy.

The Respondent has registered and is using the disputed domain name in bad faith to direct Internet users to an imitative website purporting to offer pet-related products, thus unfairly trading on the goodwill associated with the Complainant's CHEWY marks. Accordingly, the Respondent is disrupting the Complainant's business by diverting business and prospective business away from the Complainant, which evidences bad faith under 4(b)(iii) of the Policy. The Respondent's registration and use of the domain name also constitute bad faith under paragraph 4(b)(iv) of the Policy by intentionally attracting Internet users for commercial gain, offering pet-related products through its competing imitative website, creating a likelihood of confusion with the Complainant's CHEWY marks as to the source, sponsorship, affiliation, or endorsement of the domain name.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

(1) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(2) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(3) the disputed domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint; however, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Jurisprudential Overview 3.0 at paragraph 4.3; see also eGalaxy Multimedia Inc. v. ON HOLD By Owner Ready To Expire, FA 157287 (Forum June 26, 2003) ("Because Complainant did not produce clear evidence to support its subjective allegations [. . .] the Panel finds it appropriate to dismiss the Complaint").

As to the first element, the Complainant has shown that it has rights in the CHEWY word marks through registrations with the USPTO and the EUTM. The Panel finds the disputed domain name <chewystoreus.com> to be confusingly similar to the Complainant's mark because it merely adds the descriptive word "store" and the geographical abbreviation "us", which differences do nothing to distinguish the domain name from the mark. The inconsequential top-level domain ".com" may be ignored. The Complainant has established this element.

As to the second element, paragraph 4(c) of the Policy sets out three illustrative circumstances as examples which, if established by the Respondent, shall demonstrate rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy, i.e.

(i) before any notice to the Respondent of the dispute, the use by the Respondent of, or demonstrable preparations to use, the domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or

(ii) the Respondent (as an individual, business or other organization) has been commonly known by the disputed domain name, even if the Respondent has acquired no trademark or service mark rights; or

(iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert customers or to tarnish the trademark or service mark at issue.

The Panel notes that the disputed domain name <chewystoreus.com> was registered by the Respondent on September 28, 2025, long after the Complainant registered its CHEWY marks. It resolves to a website displaying the CHEWY mark and offering pet products for sale. There is no disclaimer of any association with the Complainant.

These circumstances, together with the Complainant's assertions, are sufficient to constitute a prima facie showing of absence of rights or legitimate interests in respect of the disputed domain name on the part of the Respondent. The evidentiary burden therefore shifts to the Respondent to show that it does have rights or legitimate interests in the disputed domain name. See JUUL Labs, Inc. v. Dryx Emerson / KMF Events LTD, FA1906001849706 (Forum July 17, 2019). The Respondent has made no attempt to do so.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has established this element.

As to the third element, Paragraph 4(a)(iii) of the Policy is expressed in the conjunctive: "the domain name has been registered and is being used in bad faith" and Paragraph 4(b) sets out four illustrative circumstances, which, though not exclusive, shall be evidence of the registration and use of a domain name in bad faith for purposes of paragraph 4(a)(iii), including:

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

The circumstances set out above in relation to the second element satisfy the Panel that the Respondent was fully aware of the Complainant's CHEWY marks when the Respondent registered the <chewystoreus.com> domain name and that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and of the products promoted on that website. This demonstrates registration and use in bad faith to attract users for commercial gain under Policy 4(b)(iv). The Complainant has established this element.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **chewystoreus.com**: Transferred

PANELLISTS

Name	**Alan Limbury**

DATE OF PANEL DECISION 2026-01-09

Publish the Decision