

## Decision for dispute CAC-UDRP-108612

Case number	CAC-UDRP-108612
Time of filing	2026-05-25 10:10:25
Domain names	leupoldriflescopes.com

### Case administrator

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

Organization	Leupold & Stevens, Inc.
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### Complainant representative

Organization	HSS IPM GmbH
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### Respondent

Name	liu jun
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#### 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 is the owner of the LEUPOLD trademark which is registered and used in a number of countries, such as:

United States trademark Reg. No. 905886 registered on January 12, 1971;  
European Union trademark Reg. No. 6895309 registered on November 8, 2022;  
United Kingdom trademark Reg. No. UK00801500052 registered on March 8, 1999;  
Canada trademark Reg. No. TMA696976 registered on September 20, 2007; and  
International trademark Reg. No. 1500052 registered on October 8, 2019.

#### FACTUAL BACKGROUND

The Complainant is a well-established United States manufacturer of precision optical instruments, including riflescopes, binoculars,

rangefinders, and related optical equipment. The company traces its origins to 1907, when it was first founded under the name Leupold & Voelkel. Headquartered in Beaverton, Oregon, Complainant has operated continuously for more than a century. Over the decades, Complainant has developed numerous innovations in the optics industry and has built a strong reputation for the quality, durability, and technical performance of its products. Today, Complainant manufactures and sells products in the fields of hunting, sporting optics, and tactical applications, including riflescopes, red dot sights, binoculars, rangefinders, spotting scopes, and related optical equipment, as well as accessories and apparel. The Complainant owns a number of registrations for the LEUPOLD trademark in various countries and its official website is located at the domain name <leupold.com>.

The <leupoldriflescopes.com> domain name was registered on July 28, 2025 and resolves to a website that displays the LEUPOLD graphic logo and images of the Complainant's products as well as numerous links titled "Check Price On Amazon". The page also contains a number of "Subscribe" and "Comment" fields that request users' e-mail addresses.

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#### PARTIES CONTENTIONS

##### COMPLAINANT

The disputed domain name is confusingly similar to the Complainant's trademark as it includes the trademark in its entirety and adds only the generic terms "rifle" and "scopes" (which are the Complainant's most prominent products) as well as the ".com" TLD.

The Respondent has no rights or legitimate interests in the disputed domain name as it is not commonly known by the domain name and the disputed domain name has resolved to a website that impersonates the Complainant and contains links to Amazon pages that offer LEUPOLD products, but also similar products from other brands that compete with the Complainant. The "Subscribe" and "Comment" fields seeking users' e-mail addresses indicate that Respondent is apparently using the disputed domain name to perpetuate a phishing scheme.

The disputed domain name was registered and used in bad faith based on the Respondent's prior knowledge of the Complainant's trademark and the above-mentioned website activity by the Respondent. It has also provided false Whois information further indicating bad faith.

##### RESPONDENT

No administratively compliant Response has been filed.

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#### 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).

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#### 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).

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#### 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).

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## 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.

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## PRINCIPAL REASONS FOR THE DECISION

### 1. Confusing Similarity

The Complainant has established its rights to the LEUPOLD trademark through its submission into evidence of screenshots from the WIPO website displaying the details of its asserted trademark registrations.

The disputed domain name combines the Complainant's trademark with the generic terms "rifle" and "scopes" as well as the ".com" gTLD. These additions to the trademark do not dispel the confusing similarity between the disputed domain name and the Complainant's trademark. *Avast Software s.r.o. v. Milen Radumilo*, 102384 (CAC, 19 April 2019) ("it is well accepted that where the relevant trademark is recognizable within the disputed domain name, the addition of descriptive terms would not prevent a finding of confusing similarity.").

Also, the extension ".com" typically adds no meaning or distinctiveness to a disputed domain name and may most often be disregarded in the Paragraph 4(a)(i) analysis. *Novartis AG v. Wei Zhang*, 103365 (CAC, 9 December 2020) ("it is generally accepted that the addition of the top-level suffix in the domain name (e.g., '.com') is to be disregarded under the confusing similarity test").

Accordingly, the Panel finds that the Complainant has rights to its claimed trademark and that the addition of generic words thereto in the disputed domain name is insufficient to avoid a finding that it is confusingly similar to the Complainant's trademark. Thus, the Complainant has satisfied Paragraph 4(a)(i) of the Policy.

### 2. Rights Or Legitimate Interests

Pursuant to Paragraph 4(a)(ii) of the Policy, the complainant has the burden of making a prima facie showing that the respondent has no rights or legitimate interests in the disputed domain name. *Cephalon, Inc. v. RiskIQ, Inc.*, 100834 (CAC, 12 December 2014). Once this burden is met, it then shifts to the respondent to demonstrate that it does have rights or legitimate interests in the domain name. Paragraph 4(c) of the Policy offers the respondent several examples of how to demonstrate its rights or legitimate interests in the disputed domain name.

With reference to Paragraph 4(c)(ii) of the Policy the Complainant states that it "has not authorized Respondent to use any of its trademarks, and there is no relationship, association, or connection between the parties." The Respondent has not participated in this case and so it does not contest this. As such, the Panel concludes that the Respondent is not affiliated with the Complainant, nor is it authorized or licensed to use the Complainant's trademark or to seek registration of any domain name incorporating the asserted trademark. Furthermore, the Registrar for the disputed domain name identifies the Registrant as "Liu Jun". There is no evidence that the Respondent is known otherwise and its use of the Complainant's trademark on its website does not, alone, support a different conclusion. *Madonna Ciccone, p/k/a Madonna v. Dan Parisi and "Madonna.com"*, D2000-0847 (WIPO, 16 October 2000) ("use which intentionally trades on the fame of another" should not be considered. "To conclude otherwise would mean that a Respondent could rely on intentional infringement to demonstrate a legitimate interest, an interpretation that is obviously contrary to the intent of the Policy."). Based upon the available evidence in this case, the Panel cannot conclude that the Respondent is commonly known by the disputed domain name.

Next, under Paragraphs 4(c)(i) and 4(c)(iii) of the Policy the Panel considers whether the Respondent is using the disputed domain name to make a bona fide offering of goods or services or whether it is making a legitimate non-commercial or fair use of the disputed domain name. As shown by the screenshot submitted into evidence, the disputed domain name resolves to a website that claims to provide information regarding Complainant's rifle scopes, binoculars, and range finders but which Complainant asserts is actually a misleading commercial effort by Respondent. Using a confusingly similar domain name to pass oneself off as a blog while hosting links that demonstrate a site's true purposes of generating revenue is not a bona fide offering of goods or services or a legitimate non-commercial or fair use per Paragraphs 4(c)(i) or (iii) of the Policy. See *Merial v. Monika Munjal*, UDRP-103185 (CAC

August 13, 2020) (no bona fide offering found where the disputed domain name redirected “to a website (www.discoveranimal.com), which seems a sort of pets-related blog containing commercial links to external parties’ websites.”); Oculus VR, LLC v. Javier Díaz Calvo, Active Thinking, D2018-0850 (WIPO June 6, 2018) (“the disputed domain name <comparoculus.com>, is redirecting to a website that offers not only news about virtual reality but also an online store where users can purchase via Amazon VR headsets, including the Complainant’s OCULUS RIFT brand as well as third party brands, such as PLAYSTATION VR, HTC VIVE, and STAR VR, that are in direct competition with the Complainant. Such use of the disputed domain name cannot constitute a bona fide offering of goods or services...”). Here, the Complainant asserts that “[t]he Disputed Domain Name resolves to a website that presents itself as being associated with Complainant” and contains many buttons linking “Amazon listings [which] include Leupold products, but also products from other brands that appear to compete with Complainant’s goods.”. It further states that Respondent’s site displays the LEUPOLD graphic logo, uses “a black background, which is identical to the visual style of Complainant’s official website”, displays “[s]ocial media icons for Facebook, Instagram, WhatsApp, and YouTube, none of which appear to function”, and “includes a subscription prompt” inviting users to input their email addresses ostensibly to “Get News, Updates, Special Event Notices and More When You Join Our Email List” but which may be part of a phishing scheme. From the submitted screenshot of the Respondent’s website the Panel notes that it displays the Complainant’s graphic logo at the top followed by the marquis title “Leupold Rifle Scopes: The Ultimate Guide To Precision Optics”. Below this are numerous images of Complainant’s products, many of them accompanied by a link titled “Check Price On Amazon”. When a user clicks one of these links, it is brought to a page at Amazon.com that displays one of Complainant’s products as well as competing rifle scope, binocular, and range finder products from third parties. The footer of Respondent’s page shows the notice “Copyright ©2026 leupoldriflescopes.com” as well as the message “This site is a participant in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to Amazon.com.” Next, the site shows a section titled “Get News, Updates, Special Event Notices and More When You Join Our Email List” followed by a field inviting the input of an email address. Finally, the site contains no disclaimer or other indication that it is not operated by or affiliated with the Complainant.

The Complainant asserts that this use of its trademark is for the purpose of impersonation and competition and the Respondent has not filed a Response or made any other submission in this case to offer a defense of its actions. As the Complainant has made out a prima facie case that has not been rebutted by the Respondent, upon a preponderance of the evidence before it the Panel finds that the Respondent fails to make a bona fide offering of goods or services or a legitimate non-commercial or fair use of the disputed domain name under Paragraphs 4(c)(i) or (iii) of the Policy.

### 3. The disputed domain name was registered and used in bad faith

The Complainant must prove, by a preponderance of the evidence, that the disputed domain name has been registered and used in bad faith under paragraph 4(a)(iii) of the Policy. Hallmark Licensing, LLC v. EWebMall, Inc., D2015-2202 (WIPO, 12 February 2016) (“The standard of proof under the Policy is often expressed as the balance of the probabilities’ or ‘preponderance of the evidence’ standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true.”).

The Complainant first asserts that “Respondent selected the domain name with Complainant specifically in mind.”. Actual knowledge of a complainant’s trademark may form the foundation upon which to build a case for bad faith under Policy paragraph 4(a)(iii). See, *Xiaomi Inc. v. Nguyễn Đức Đạt* (N/A), UDRP-107237 (CAC, 12 February 2025) (“The Panel infers that the Respondent had actual knowledge of the Complainant’s rights in the XIAOMI mark at the time of registration, as demonstrated by the Respondent’s use of the mark, its offering of competing products, and the widespread recognition of the Complainant’s trademark.”). The Complainant asserts that the Respondent had knowledge of the LEUPOLD trademark based on its reputation. In support, the Complainant provides screenshots of its own <leupold.com> website as well as the results of a Google search for the word “Leupold”, with its unique spelling, showing results that appear to exclusively refer to the Complainant. While this provides some evidence of the LEUPOLD trademark’s reputation, more persuasive is the Respondent’s website which makes extensive use of the trademark and appears to originate from the Complainant or one of its authorized business partners. From such directly targeting activity, the Panel finds sufficient evidence to conclude that the Respondent had actual knowledge of the Complainant’s rights in the LEUPOLD trademark at the time that it registered the disputed domain name and that it targeted the trademark in bad faith.

Next, the Complainant argues that the Respondent uses the disputed domain name in bad faith and seeks to pass itself off as and compete with the Complainant. Using a confusingly similar domain name to pass oneself off as a Complainant can demonstrate bad faith under Paragraphs 4(b)(iii) and (iv) of the Policy. See *Harley-Davidson Motor Company Inc. v. Liu Peng et al.*, UDRP-106275 (CAC, 27 March 2024) (“use of a disputed domain name to pass off as a complainant and offer competing or counterfeit goods may be evidence of bad faith per Policy paragraph 4(b)(iii) and (iv).”). Upon a review of the screenshots of the <leupoldriflescopes.com> website provided by the Complainant, the Panel notes that the site makes prominent and extensive use of the LEUPOLD trademark and its associated graphic logo and contains numerous links to Amazon.com at which the Complainant’s products are offered for sale alongside similar and competitive third-party products. This supports the Complainant’s claim of passing off and seeking commercial gain based on trademark confusion under 4(b)(iv) (as no claim is made under 4(b)(iii), the

Panel will not address this subsection of the Policy). The Respondent has not participated in this case to defend its actions and so, based upon a preponderance of the available evidence, the Panel finds that the Respondent registered and is using the disputed domain name in bad faith by seeking commercial gain through confusion with the Complainant and its trademark under Paragraph 4(b)(iv).

Finally, the Complaint asserts that the <laupoldriflescopes.com> website invites users to input their e-mail address and that the “Respondent apparently uses the Disputed Domain Name to perpetrate a phishing scheme...” As there is no direct evidence of phishing activity, and as the Panel has already found bad faith registration and use of the domain name based on other grounds, it will not analyze this claim of phishing.

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FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

**Accepted**

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

1. **leupoldriflescopes.com**: Transferred

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## **PANELLISTS**

<b>Name</b>	<b>Steven Levy</b>
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DATE OF PANEL DECISION **2026-06-28**

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**Publish the Decision**

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