



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	26133-UDRP	Decision date: Feb 17, 2026
Domain Name:	<Radjamz.com>	
Registrar:	Wild West Domains, LLC	
Panel:	Adam Samuel	
Complainant:	Kyla King	
Respondent:	Mica Knibbs / Organization: Crema Communications	

1. PROCEDURAL HISTORY

On November 12, 2025, the Complainant filed a Complaint pursuant to the UDRP and the UDRP Rules via online platform. The required fee was paid on December 1, 2025. On December 1, 2025, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and, the Registrar responded advising of the identity of the Respondent and providing the above contact details. In addition, the Registrar confirmed that the disputed domain name was placed in a Registrar LOCK. On December 12, 2025, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process. CIIDRC, Appointment Letter pg. 1 26133-UDRP January 21, 2026. On December 12, 2025, pursuant to UDRP Rule 4 and Supplemental Rule 5, CIIDRC notified the Respondent of this administrative proceeding and forwarded a Notice of Complaint to the Respondent.

The deadline for submitting a Response was set for January 2, 2026. The Respondent has failed to file its response. The Complainant in this administrative proceeding has elected for a Panel consisting of a single member. In accordance with Rule 5 (d), On January 21, 2026, CIIDRC appointed Adam Samuel as a single-member Panel in the above-referenced matter. He completed and returned to CIIDRC the statement of acceptance and declaration of impartiality and independence.

Domain Names: <Radjamz.com>
26133-UDRP

This matter is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the Policy) and the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) of the Internet Corporation for Assigned Names and Numbers (ICANN).

On January 21, 2026, the Panel issued the following procedural order:

“The Panel has considered the complaint and annexes to it and notes the absence of a registered trademark and a negative pre-assessment report dating back to 2022 on the application. The Panel, therefore, orders within 14 calendar days of this order:

1. The Complainant to supply that letter and any subsequent correspondence in connection with its Canadian trademark application and confirmation that this is the only application that it has made.
2. The Complainant to supply evidence that meets the Canadian law requirements for a common law trademark in the absence of any registration.

and within 14 days of receipt of items 1 and 2 and their distribution to the Respondent

3. Both parties to provide submissions and any evidence on whether the Complainant has the common law trademark under Canadian law (or any other law) on which it relies.”

The Complainant responded by providing details of a registered trademark it holds for another name and product, RAD RELISH. It supplied further evidence to support its common law trademark claim. On 27 January 2026, the Center transmitted this information to the Respondent. The Respondent has not replied. Neither party has provided any submissions on whether the Complainant has a common law trademark under any law.

2. FACTS ALLEGED BY THE PARTIES

The Complainant began using the trade name “Rad Jamz” in 2016 to sell her artisanal jams, jellies and preserves and eventually incorporate the business as Rad Jamz & Preserves Inc. In March 2022, the Complainant, through the Rad Jamz & Preserves Inc. entity, filed a trademark application with the Canadian Intellectual Property Office (CIPO) for the Rad Jamz Design Mark (Application No. 2173768), which remains pending, under examination. To date, this, the only trademark application for Rad Jamz, has not been granted.

The disputed domain name was registered on March 14, 2019.

3. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant submits that she hired the Respondent in 2019 to purchase the disputed domain name on her behalf. Originally conceived as a passion project, it quickly grew obtaining retail and wholesale distribution across British Columbia and beyond. The brand “Rad Jamz” has been continuously used since its inception in 2016, and through consistent trade, public exposure, and investment in digital and physical marketing, it has acquired strong common law trademark rights in Canada and internationally.

Since its founding, the Complainant has invested in brand development, product labelling, marketing, trade shows, retail distribution, and online sales under the “Rad Jamz” brand. The “Rad Jamz” name has acquired significant goodwill and recognition in the marketplace. Screenshots of Instagram posts establishing the Rad Jamz offering since July 2016 demonstrate this. Even prior to filing the CIPO trademark application, the Complainant had already developed strong common law trademark rights in the name “Rad Jamz” through consistent commercial use since 2018.

The Complainant developed a visual identity and online presence early in Rad Jamz’s growth to engage with retail partners, access government funding, and develop a direct-to-consumer model. In 2019, the Complainant hired the Respondent, Mica Knibbs, to provide graphic design and web development services. As part of this business arrangement, the Respondent registered the domain name radjamz.com (the “Rad Jamz Domain”) on behalf of the Complainant and was paid for its registration and development of the webpages associated with the Rad Jamz Domain, including a subsequent government-funded project to upgrade the Rad Jamz Domain and improve SEO and online advertising.

From the date of registration through the years that followed, the Complainant continuously used the Rad Jamz Domain to operate her online storefront, house her official company email addresses (e.g., hello@radjamz.com) and it served as a primary hub for business communications with suppliers, vendors, distributors, customers, and grant providers. From the time that the Respondent registered the disputed domain name on behalf of the Complainant, the Complainant operated under the mistaken belief that she was the owner of the disputed domain name.

The disputed domain name is identical or confusingly similar to the Complainant’s “Rad Jamz” trademark. The domain incorporates the entirety of the “Rad Jamz” mark, with no differentiating terms or qualifiers. The addition of a generic top-level domain (.com) does not prevent consumer confusion. Consumers encountering this domain would reasonably assume they are owned or operated by the Complainant.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent, was never authorized to register or hold ownership the disputed domain name in his own name. There is no evidence that the Respondent has ever used the disputed domain name in connection with a bona fide offering of goods or services. He does not operate any business under the name “Rad Jamz”, is not publicly known by that name, and has never held any ownership or equity interest in the Complainant’s company. The Respondent’s only involvement was as a service provider whose working relationship was terminated in early 2023 due to ongoing delays, poor-quality work, and non-responsiveness.

In January 2023, after years of the Respondent missing deadlines, being non-responsive, and engaging in professional negligence or misconduct—including CFIA labelling violations and delays that cost the Complainant thousands in lost revenue—the Complainant formally terminated her working relationship with the Respondent. Despite this termination, the Respondent retained unauthorized control over the Rad Jamz Domain and refused to transfer it, despite repeated requests from both the Complainant and a third-party web host (Vigilante Marketing).

On December 13, 2024, the Respondent engaged in a targeted and malicious act of cyber sabotage. The Respondent unlawfully accessed the Complainant’s Google Workspace account, disabled all company email accounts, and deleted the contents from the domain name’s website. The Respondent also transferred the domain name registrar from GoDaddy to Wild West Domains and renewed the registration in his name until March 2026; despite having no ownership interest in the business, brand, or intellectual property associated with Rad Jamz (together, the “Respondent’s Conduct”).

These actions were executed without any warning or legal right, clearly intended to harm the Complainant’s business. The timing (just before the Christmas holidays, the busiest season for food producers), and the method (disabling core communication channels and e-commerce platforms) reflect a pattern of bad faith conduct under Paragraph 4(b)(iii) of the UDRP. The Respondent has no trademark rights or legitimate interests in the domain name and is not publicly known by the name “Rad Jamz”. He registered and renewed the Rad Jamz Domain name solely to disrupt the Complainant’s business and to extract leverage or retaliation following the termination of services.

The consequences of the Respondent’s Conduct were immediate and severe. The Complainant was unable to access business-critical communication platforms, resulting in missed purchase orders, supplier communications, customer inquiries, and operational coordination. The e-commerce storefront disappeared, and the Rad Jamz & Preserves Inc.’s professional reputation was damaged. This attack forced the Complainant to urgently register a new domain (radjamz.co), inform all stakeholders of the abrupt change, and attempt to rebuild its digital infrastructure during the busiest period of the fiscal year—all while dealing with post-operative recovery.

- **Respondent**

The Respondent has not filed a response to the Complaint or the Procedural Order.

- **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

4. DISCUSSION AND FINDINGS

4.1 Requirements

In accordance with Paragraph 4 of the Policy, the onus is on the Complainant to prove that:

1. the Domain Name is Identical or Confusingly Similar to a trademark or service mark in which the Complainant has rights:
2. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
3. the Domain Name has been registered and is being used in bad faith.

4.2 Analysis

4.2.1 The Domain Name is Identical or Confusingly Similar to a Mark in which the Complainant has Rights

The Complainant has not registered the trademark RAD JAMZ. Consequently, in order to succeed under this element, she has to persuade the Panel that she has common law trademark rights in the name, RAD JAMZ.

The original complaint supported that claim with three Instagram posts that it had made, one in 2016 and the other two in 2019. These were liked by 19, 14 and 73 followers (excluding the Complainant).

In response to the Procedural Order, the Complainant supplied details of a registered trademark for RAD RELISH, apparently applied for on the same date as RAD JAMZ but granted on March 14, 2024. If nothing else, this shows that the Canadian authorities have significant concerns about registering RAD JAMZ as a trade mark. It is not for the Panel to prejudge that decision.

In response to the Procedural Order No. 1, referred to above, the Complainant provided some more social media posts that it has issued to illustrate her continuous use of RAD JAMZ as a brand since 2016. The first, dated July 4, 2016, and liked by only seven Internet users, shows the Complainant using that name as an address for sending out communications. The image of a jam with a label in the post does not use the expression RAD JAMZ. The second post, of September 2, 2016, liked by 15 users, does bear the name RAD JAMZ. There is one response showing enthusiasm for the product. The third post from July 21, 2018, displays a number of different products under the RAM JAMZ name. It received 41 likes and two positive external comments. The September 11, 2019 post, liked by 55 Internet users, received three external positive responses. More recent efforts have never been liked by more than 105 followers or received more than three responses.

The Panel is not judging the Complainant's product or marketing effort. It is only concerned to decide whether a brand name which involves a slight misspelling of both "red" and "jams" has generated sufficient goodwill to qualify for trademark status. This is particularly in the light of the failure up to the present time to register the same name as a Canadian trademark. To claim an unregistered trademark under Canadian law, the Complainant has to show that she could bring an action for passing off against someone else use the same name.

Professor Guibault, in Lucie Guibault, Anthony Rosborough, Tiffany Leung, Haley MacLean, Sonja Gashus, Canadian Intellectual Property, Canadian Law Information Institute, last modified 2025, notes at p. 833:

“goodwill for purposes of passing off requires that a mark is distinctive and possesses reputation. Factors considered for this purpose may include inherent distinctiveness, acquired distinctiveness, length of use, surveys, volume of sales, advertising and marketing, and intentional copying.”

In *Ciba-Geigy Canada Ltd. v. Apotex Inc.*, 1992 SCC 33, the Court quoted Lord Oliver’s judgement in *Reckitt & Colman Products Ltd. v. Borden Inc.*, [1990] 1 All E.R. 873 at 880:

“First, he must establish a goodwill or reputation attached to the goods or services which he supplies in the mind of the purchasing public by association with the identifying “get-up” (whether it consists simply of a brand name or a trade description, or the individual features of labelling or packaging) under which his particular goods or services are offered to the public, such that the get-up is recognised by the public as distinctive specifically of the plaintiff’s goods or services.”

This approach was confirmed in *Kirkbi AG v. Ritvik Holdings Inc.*, 2005 SCC 65, para 67 where the court said:

“The claimant must establish goodwill in respect of the distinctiveness of the product ... Evidence of goodwill solely attached to the techniques and processes which create the product will not do. The doctrine of passing off did not develop to protect monopolies in respect of products but of guises, get-ups, names and symbols which identify the distinctiveness of a source.”

The Complainant has not supplied any evidence of a significant reputation among the purchasing public by association with the any identifying “get-up” or any recognition by the public as distinctive specifically of her products. The only evidence that the Panel has received consists of social media posts receiving very limited response. That does not meet the requirements of Canadian law.

It may be that, in the future, after a trial before a Canadian court, the Complainant will be able to show that she has common law trademark rights in the name RAD JAMZ. All the Panel can do, here, is to determine the effects of the evidence and submissions presented.

It follows from all this that the Complainant cannot show that the disputed domain name is confusingly similar to a trademark in which she has rights. There is no need to go further and deal with the arguments under the second and third elements.

DECISION and ORDER

For the above reasons, in accordance with Paragraph 4 of the Policy, Paragraph 15 of the Rules, and Rule 10 of the Supplemental Rules, the Panel dismisses the Complaint.

Made as of

SIGNATURE OF PANEL

