



**CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE**  
**DOMAIN NAME DISPUTE**  
**ADMINISTRATIVE PANEL**  
**DECISION**

CIIDRC case number:	26484-UDRP	Decision date: March 16, 2026
Domain Name:	<STRUCTUBEHOME.COM>	
Registrar:	Cosmotown, Inc.	
Panel:	Karen Bernstein	
Complainant:	STRUC-TUBE LTD.	
Respondent:	Hierro Mela	

**1. PROCEDURAL HISTORY**

- a. This administrative proceeding is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the “UDRP Policy”); the Rules for Uniform Domain Name Dispute Resolution Policy (the “UDRP Rules”) both of which issued under the auspices of the Internet Corporation for Assigned Names and Number (ICANN); and the Canadian International Internet Dispute Resolution Centre (the “Centre”, or the “CIIDRC” or the “Provider”) Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).
- b. This administrative proceeding concerns the domain name <structubehome.com>.
- c. The disputed domain name <structubehome.com> was registered on December 9, 2025.
- d. The procedural history of this case was set out in a letter from the CIIDRC to the Panel.
- e. On January 16, 2026, counsel for the Complainant filed a Complaint pursuant to the UDRP Policy and the UDRP Rules. The Complaint was received via email.
- f. On January 20, 2026, the Registrar of the disputed domain name was notified of this proceeding.
- g. On January 22, 2026, the Registrar transmitted its verification response to CIIDRC via email, identifying the Registrant, who is the Respondent in this administrative proceeding, and confirming that the language of the

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registration agreement for the disputed domain name is in English. The Registrar also confirmed that the disputed domain name has been placed under a Registrar LOCK.

- h. On February 3, 2026, the Complainant was informed of the Respondent's information as provided by the Registrar, and subsequently amended the Complaint.
- i. Also, on February 3, 2026, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process and, 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.
- j. The deadline for submitting a Response was set for February 23, 2026. No Response was received by the deadline, nor has any been submitted thereafter.
- k. The Complainant in this administrative proceeding has elected for a Panel consisting of a single member. The required Panel fee deposit was received on January 19, 2026.
- l. On March 3, 2026, CIIDRC appointed the Panel of the UDRP administrative proceedings, consisting of Karen J. Bernstein, Esq. (the "Panel"). The Panel finds that it was properly constituted. The Panel has submitted its Statement of Acceptance and Declaration of Impartiality and Independence, as required by CIIDRC to ensure compliance with Rule 7 of the UDRP Rules.

## 2. FACTS ALLEGED BY THE PARTIES

### • Complainant

The Complainant, Struc-tube Ltd. ("Complainant") is a company formed in 1980, pursuant to the laws of Canada. Complainant sells its furniture and furniture accessories for the home and office in its 75 brick and mortar retail locations throughout Canada. Since before incorporation (via its predecessor in interest), the Complainant has been engaged, continuously and without interruption in Canada, in the offering for sale, display for sale, advertisement for sale and sale of furniture and furniture accessories for the home and office in association with the trademark, STRUCTUBE, and continues to be engaged in that business enterprise today since August 1, 1974. Complainant states that it has invested tremendous amounts of time, money, talent and other resources to promote its trademark for STRUCTUBE and has developed substantial brand equity, public recognition, in association therewith through its advertising and display for sale and sales of furniture and furniture accessories for the home and office. Additionally, Complainant promotes its furniture and furniture accessories for the home and office featuring its common law design mark consisting of the words, STRUCTURE, j'adore!, on social media platforms with substantial followers on Facebook, Instagram, X.com (formerly known as Twitter), and Pinterest.

The Complainant registered the domain name <structube.com> on February 2, 1999, and has been using it continuously and without interruption since that time to host its official website, from which the Complainant offers for sale, displays for sale, advertises for sale and sells furniture and furniture accessories for the home and office and other related goods, in association with the its trademarks.

The Complainant also registered the domain name <Structube.ca> on November 1, 2013, and has been using it continuously and without interruption since that time, to re-direct its customers to its <structube.com> landing page/website.

- **Respondent**

The Whois record for the domain name <structubehome.com> (the “Disputed Domain Name”) was revealed by the Registrar of Record as follows:

Registrant Name: Hierro Mela  
 Registrant Street: 3833 Mulberry Avenue  
 Registrant City: Espanola  
 Registrant State/Province: New Mexico  
 Registrant Postal Code: 87532  
 Registrant Country: US

### 3. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant submits that it owns the United States trademark, STUCTUBE, bearing registration number, 5,578,222, registered on January 1, 2018, for use in association with Furniture (the “US Trademark Registration”).

The Complainant also owns the Canadian trademark, STRUCTUBE, bearing registration number, TMA896562 registered on February 16, 2015, for use in association with furniture and accessories for the home and office (the “Canadian Trademark Registration”). The US Trademark and Canadian Trademark Registrations for the mark, STRUCTUBE, will be referred herein together as “Complainant’s Trademark”).

The Complainant further submits that it owns common law or unregistered rights in the design mark depicted below that is also the subject of pending trademark application number, 2380599, filed on February 18, 2025, in the Canadian Intellectual Property Office (the “Canadian Design Mark”):

**STRUCTUBE**  
*j'adore!*

On the first element of the UDRP Policy, Complainant submits that the disputed domain name is confusingly similar to Complainant’s Trademark, which is an invented word and not one that traders would legitimately use in connection with the sale of furniture and furniture accessories for the home and office. The Disputed Domain Names contains the Complainant’s Trademark, STRUCTUBE, in its entirety, adding only the word “home”, plus the applicable domain name extension or Top Level Domain Name, “.com”.

On the second element of the UDRP Policy, Complainant avers that Respondent is not affiliated with or otherwise connected with Complainant. Further, Complainant has not authorized, licensed, or permitted anyone, to register or use the disputed domain name or to make use of Claimant’s Trademark, including the Respondent. Additionally, the disputed domain name is being used to imitate the Complainant by passing itself off as being the Complainant

to sow confusion and take advantage of the Complainant and the public. As such, the disputed domain name is not being used for a legitimate purpose.

On the third element of the UDRP Policy regarding the disputed domain name being registered in bad faith, Complainant argues that the Respondent must have been aware at the time it registered the disputed domain name consisting of Complainant's distinctive Trademark and sought to capitalize on Complainant's Trademark's goodwill and reputation, which it has built up in both Canada and the United States, especially since Respondent resides in the United States, and because a simple internet or trademark search would have disclosed the existence of the Complainant.

To further support Complainant's evidence on the third element of the UDRP Policy regarding the bad faith use of the disputed domain name, Complainant submitted the sworn Affidavit of its President and attached, *inter alia*, various exhibits to the Affidavit, including screenshots of the website located at the disputed domain name, which features the Complainant's Trademark and displays the Canadian Design Mark. The screenshots of the evidence that displays the disputed domain name's website reproduces the Complainant's website's overall look and feel, text; images of the products' structure, Trademark, and Canadian Design Mark in order to fool consumers into ordering and paying for furniture they may never receive.

The Complainant states that the website located at the disputed domain name also implies an affiliation with the Complainant, which confuses Internet users into believing that Respondent has a special relationship with the Complainant where no such relationship exists. In addition, the website located at the disputed domain name features Complainant's Trademark and Canadian Design Mark in the same style font; reproduces, in whole or in substantial part, copyrighted images owned by and/or licensed to the Complainant, and purportedly offers to sell furniture at deeply discounted prices. In addition, the website located at the disputed domain name includes an "About Us" section webpage that reproduces a substantially identical narrative regarding the inception of Complainant's business as found on the Complainant's authentic website. Complainant asserts that the website located at the disputed domain name induces customers to provide their credit card details regardless of the authenticity of the furniture displayed on the website, which not only damages the Complainant's goodwill but also is disrupting its business. As a result, Complainant speculates that Respondent is using the website located at the disputed domain name to further the ultimate goal of obtaining personal information from unsuspecting victims, with the potential for identity theft, fraud, ransom attacks, and other cyber-crimes.

- **Respondent**

Respondent failed to submit a Response in this proceeding.

#### **4. REMEDY SOUGHT**

The Complainant requests the Domain Name be transferred to it.

## 5. DISCUSSION AND FINDINGS

### 5.1 Requirements

When a respondent has defaulted, paragraph 14(a) of the Rules requires the Panel to proceed to a decision on the Complaint in the absence of exceptional circumstances. Accordingly, paragraph 15(a) of the UDRP Rules requires the Panel to decide the dispute on the basis of the statements and documents that have been submitted and any rules and principles of law deemed applicable.

In accordance with Paragraph 4 of the UDRP 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.

The Panel will consider each of these requirements in turn.

### 5.2 Analysis

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

The first requirement of Paragraph 4(a)(i) is that a complainant demonstrate its ownership of trademark or service mark rights. This is a standing requirement. Producing into evidence a registration certificate of a national trademark authority has been held sufficient to satisfy this threshold requirement. *Sunspace Modular Enclosures Inc v. KB Sunspaces*, 15868-UDRP (CIIDRC Oct. 1, 2021) (“It is well established that a trademark will be accepted for this purpose if it has been registered with a recognized national or international authority”). Complainant also submits that it owns common law or unregistered rights in the Canadian Design Mark, which satisfies the Panel that it owns unregistered rights in the Canadian Design Mark. See WIPO Overview 3.1, section 1.3 (“The fact that a respondent is shown to have been targeting the complainant’s mark (e.g., based on the manner in which the mark is used on the related website or impersonating documents or other instruments) may also support the complainant’s assertion and evidence that its mark has achieved significance as a source identifier”).

The Complainant has shown rights in respect of Complainant’s Trademark for STRUCTUBE and its Canadian Design Mark for the purposes of the UDRP Policy

Next, consideration is given to whether a disputed domain name is identical or confusingly similar to a complainant’s trademark. Here, the disputed domain name consists of the word, “STRUCTUBE,” and adds the word, “Home”.

As the mark is clearly recognizable in the disputed domain name, but for the addition of the word, "Home", along with the ".com" gTLD does not reduce the confusing similarity of the disputed domain name in appearance, sound, or meaning and that the disputed domain name is confusingly similar to Complainant's mark per UDRP Policy ¶ 4(a)(i).

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the UDRP Policy.

Complainant has satisfied the first element of the UDRP Policy.

### **5.2.2 Rights or Legitimate Interests in respect of the Domain Name**

Complainant has shown that it established its trademark rights before Respondent registered the disputed domain name. It has not authorized the Respondent to use its trademark, and the record contains no evidence that the Respondent is commonly known by the disputed domain name. These allegations constitute *prima facie* showing that the Respondent lacks any rights or legitimate interests in the disputed domain name under the UDRP Policy, paragraph 4(a)(ii), shifting the burden of production on this second element to the Respondent to come forward with relevant evidence proving rights or legitimate interests in the disputed domain name. WIPO Overview 3.1, section 2.1. The Respondent has not submitted any evidence to rebut the *prima facie* showing. The Respondent failed to provide any evidence of an actual or a planned *bona fide* commercial use or a noncommercial use of the disputed domain name, or even to respond to the Complaint. WIPO Overview 3.1, sections 2.1, 2.2, 2.4 and 2.5.3.

Complainant has proven the second element of the UDRP Policy.

### **5.2.3 Registration and Use of the Domain Name in Bad Faith**

The Panel is satisfied that Respondent registered the disputed domain name well over 10 years after the Canadian Registration, almost 10 years after Complainant's first use of the Canadian Design Mark, and 7 years after the US Registration that Complainant established its trademark rights. Based on the evidence presented by Complainant, Respondent registered the disputed domain name with Complainant in mind and with the intent to target Complainant's STRUCTUBE Trademark and Canadian Design Mark to confuse the public into believing that Complainant authorized, endorsed, or sponsored Respondent's use of the disputed domain name.

Complainant has proven that the disputed domain name was registered and is being used in bad faith as the website located at the disputed domain name substantially mimics Complainant's authentic website in an effort to create the illusion of an official affiliation with the Complainant.

Complainant has prevailed on the fourth element of the UDRP Policy.

**6. DECISION and ORDER**

For the above reasons and, in accordance with Paragraph 4 of the UDRP Policy, Paragraph 15 of the UDRP Rules, and Rule 10 of the Supplemental Rules, the Panel orders that the <structubehome.com> domain name be TRANSFERRED to Complainant.

Made as of March 16, 2026

SIGNATURE OF PANEL



Karen J. Bernstein

Sole Panelist

