



## CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

### DOMAIN NAME DISPUTE

### ADMINISTRATIVE PANEL

### DECISION

|                       |                              |                                  |
|-----------------------|------------------------------|----------------------------------|
| CIIDRC case number:   | <b>27712-UDRP</b>            | Decision date: September 8, 2026 |
| Disputed Domain Name: | <b>princessautotools.com</b> |                                  |
| Registrar:            | <b>Cosmotown, Inc.</b>       |                                  |
| Panel:                | <b>Steven Levy</b>           |                                  |
| Complainant:          | <b>PRINCESS AUTO LTD.</b>    |                                  |
| Respondent:           | <b>Mitchellz Mitchellz</b>   |                                  |

#### 1. PROCEDURAL HISTORY

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre to the Panel:

On July 30, 2026, the Complainant filed a Complaint pursuant to the UDRP and the UDRP Rules via email. The required fee was paid on the same day.

On July 30, 2026, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and on July 31, 2026, 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 August 6, 2026, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process.

On August 6, 2026, 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.

In accordance with the UDRP Rules, the deadline for the submission of a Response was August 26, 2026.

Domain Names: **princessautotools.com**  
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As of that date, the Registrant has not submitted a Response.

The Complainant in this administrative proceeding has elected for a Panel consisting of a single member. The required Panel fee deposit was received on August 31, 2026.

In accordance with Rule 5 (d), CIIDRC appointed Steven M. Levy as a single-member Panel in the above-referenced matter and Mr. Levy duly completed the statement of impartiality and independence as required under Paragraph 7 of the Resolution Rules.

The Domain Name was registered on June 5, 2026.

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).

## **2. FACTS ALLEGED BY THE PARTIES**

Started in 1933, Complainant is a retailer and source of various goods, including, without limitation: automotive and industrial tools, parts, and supplies; outdoor and farm equipment and gear; and other various hardware and tools. Its customers include tradespersons, businesses, and consumers. Complainant owns registrations for the PRINCESS AUTO trademark in Canada, the United States, and in China. It also owns the domain names <princessauto.ca> and <princessauto.com>. On June 5, 2026, a few days after the Complainant's grand opening of its new and grand location, the Respondent registered the disputed domain.

The disputed domain name resolves to a website that purports to offer for sale, tools and outdoor equipment at deeply discounted prices and uses images that have been copied directly from the Complainant's website.

## **3. CONTENTIONS OF THE PARTIES**

- **Complainant**

The Complainant submits that the disputed domain name is confusingly similar to Complainant's mark as it incorporates the entirety of the mark and adds only the generic word "tools" which directly relates to Complainant's business, as well as the ".com" TLD.

Respondent has no rights or legitimate interests in the disputed domain name where it is not commonly known by the domain name and its hosting of a website that impersonates Complainant and purports to offer tools and outdoor equipment at deeply discounted prices is not a *bona fide* offering of goods or services.

The disputed domain name was registered and is used in bad faith where Respondent had prior knowledge of Complainant and its mark, and based on the above-mentioned website activity.

- **Respondent**

No Response or other submission has been made by Respondent.

- **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.

The Panel will consider each of these requirements in turn.

##### **4.2 Analysis**

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

Complainant asserts rights in the PRINCESS AUTO mark based on registrations with various national and international trademark offices. In support, Complainant submits screenshots from the websites of the Canada Intellectual Property Office (“CIPO”), the United States Patent and Trademark Office (“USPTO”), and the China National Intellectual Property Administration (“CNIPA”) showing the details of its registrations. Such evidence has typically been accepted by UDRP Panels. *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.”) The Panel thus finds that Complainant has demonstrated rights in its PRINCESS AUTO mark under Policy ¶ 4(a)(i).

Next, consideration is given to whether a disputed domain name is identical or confusingly similar to a complainant’s trademark. Registration of a domain name that contains a mark in its entirety and adds a generic term or phrase along with a gTLD typically does not distinguish the domain name from the mark per Policy ¶ 4(a)(i). See *Shopify Inc. v. Muhammad Saqib*, 24781-UDRP (CIIDRC April 28, 2025) (“The disputed domain name exactly incorporates the well-known Trademark SHOPIFY, plus a generic term as ‘designers’ which in accordance with the Domain Name Jurisprudence, does not prevent a finding of confusing similarity under the first element of the Policy.”) See also *Pinkletic LLC v. Nguyen thanh Nam*, 23914-UDRP (CIIDRC OCT. 12,

2024) (“The top-level domain (“TLD”) may usually be ignored for the purpose of determination of identity or confusing similarity between a domain name and the Complainant’s trademark as it is technical requirement of registration.”) Here, Complainant asserts that the disputed domain name incorporates the entirety of the PRINCESS AUTO mark in its entirety adding only the word “tools” and the “.com” gTLD. In light of the mark being clearly recognizable in the domain name and it adding a generic term related to Complainant’s field of business as well as the “.com” TLD, the Panel finds that these added elements do not reduce the confusing similarity of the domain name in appearance, sound, or meaning. Thus, Respondent’s domain name is confusingly similar to Complainant’s mark per Policy ¶ 4(a)(i).

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

Complainant must first make a *prima facie* case that Respondent lacks rights and legitimate interests in the disputed domain name under Policy ¶ 4(a)(ii). Should it succeed in this effort, the burden then shifts to Respondent to show that it does have rights or legitimate interests. See *Catfish Sumo v. Qin Shu*, 24186-UDRP (CIIDRC Jan. 9, 2025) (“Even though the Policy requires the complainant to prove that the respondent has no rights or legitimate interests in the Domain Name, it is the consensus view among UDRP panels that a complainant has to make only a *prima facie* case to fulfill the requirements of Paragraph 4(a)(ii) of the Policy. As a result, once a *prima facie* case is made, the burden of coming forward with evidence of the respondent’s rights or legitimate interests in the disputed domain name will then shift to the respondent.”)

Complainant argues that Respondent lacks rights or legitimate interest in the <princessautotools.com> domain name as it is not authorized to use the PRINCESS AUTO mark. It makes no specific mention of Policy ¶ 4(c)(ii) but, in considering this issue, the Panel notes that WHOIS information may be used to determine whether a respondent is commonly known by the disputed domain name. See *DD IP Holder LLC v. Carolina Rodrigues/ Fundacion Comercio Electronico*, 17750-UDRP (CIIDRC July 8, 2022) (Respondent not commonly known by the disputed domain name where “the Whois record for the disputed domain name identifies the Respondent as “Carolina Rodrigues / Fundacion Comercio Electronico.”) Additionally, lack of authorization to use a complainant’s mark may indicate that the respondent is not commonly known by the disputed domain name. See *Georgia Rossi v. Joe Neylon*, FA 1789106 (CIIDRC May 25, 2025) (concluding that a respondent has no rights or legitimate interests in a disputed domain name where the Complainant asserted that it “has not granted the registrant a license or otherwise provided permission for him to use the Complainant’s trademarks”). The WHOIS information for the disputed domain name, as verified by the concerned Registrar, lists the registrant as “Mitchellz Mitchellz” and Respondent has not submitted any evidence that it is known otherwise. Further, the Complainant asserts that it “neither authorized nor granted a licence to the Complainant to make any use of the Complainant’s trademarks (including, without limitation, the Registered Princess Auto Trademarks), or to apply for registration of the disputed domain name by the Complainant.” Respondent has not filed a Response or made any other submission in this case and so it does not contest this. Thus, the Panel finds no evidence upon which to conclude that Respondent is commonly known by the Domain Name per Policy ¶ 4(c)(ii).

Finally, Complainant asserts that Respondent is not using the disputed domain name in connection with a *bona fide* offering of goods or services and that it is also not making a legitimate noncommercial or fair use of the domain name. Rather, it asserts that the <princessautotools.com> domain name resolves to a website that impersonates Complainant and deceives consumers who are seeking genuine PRINCESS AUTO products. Such activity has been held to be neither a *bona fide* offering of goods or services nor a legitimate noncommercial or fair use of a disputed domain name under Policy ¶¶ 4(c)(i) or (iii). See *Stormtech Performance Apparel Ltd.v. subways pvt ltd / business development*, 22088-UDRP (CIIDRC Feb. 6, 2024) (where “the Domain Name resolves to a website apparently hosting content that falsely suggests a bona fide commercial offering of the Complainant’s goods”, “the Panel is satisfied the Complainant has shown that the Respondent lacks a legitimate interest in the Domain Name on a *prima facie* standard.”) In support of its contentions Complainant submits screenshots of the website to which the disputed domain name resolves, as well as screenshots of its own <princessauto.com> website for comparison. The Panel notes that Respondent’s site displays the PRINCESS AUTO mark at the top of the page in the same graphic logo form that Complainant uses, followed by menu items titled “Shop”, “Surplus”, “Parts”, “Hand Tools” and others. There are then various graphics promoting certain promotional deals followed by images of various tools and parts, some of which are identical to those appearing on Complainant’s own site, showing one price in a strike-through grey font followed by a significantly lower price in a black font, many of them accompanied by additional occurrences of the PRINCES AUTO logo. An “About Us” page shows the text “At Princess Auto we’ve been helping Canadians tackle tough jobs and big projects since 1938.” There does not appear to be any message stating that Respondent’s site or products do not originate from Complainant and the site offers no other indication that it has no relationship with Complainant. Finally, the fact that Complainant’s mark appears on Respondent’s website does not, itself, indicate that Respondent is commonly known thereby where such use appears intended to create consumer confusion. *Madonna Ciccone, p/k/a Madonna v. Dan Parisi and “Madonna.com”*, D2000-0847 (WIPO Oct. 16, 2000) (“use which intentionally trades on the fame of another cannot constitute a ‘bona fide’ offering of goods or services. 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 submitted evidence, the Panel agrees with Complainant’s contention that Respondent creates the false impression that its website is operated by Complainant and that it thereby deceives potential customers. Respondent has not participated in these proceedings to offer any explanation for its activities. Thus, the Panel finds that the disputed domain name is not being used for a *bona fide* offering of goods or services or in a legitimate noncommercial or fair manner under Policy ¶¶ 4(c)(i) and (iii).

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

Complainant asserts that Respondent registered the disputed domain name with actual knowledge of Complainant’s rights in its PRINCESS AUTO mark. Actual knowledge can provide a solid foundation upon which to build an argument of bad faith registration under Policy ¶ 4(a)(iii) and this can be demonstrated based on the reputation of the mark as well as the use to which a disputed domain name is put. See *WordPress*

*Foundation v. mich delorme / mich d dots tlds*, FA 1584295 (FORUM Nov. 25, 2014) (“Because Respondent here relies on the WORDPRESS mark in the disputed domain name and also makes use of Complainant’s services at the resolving page, the Panel finds that Respondent had actual knowledge of Complainant’s mark, and that such knowledge evidences Policy ¶ 4(a)(iii) bad faith.”) Also *UDRP Perspectives on Recent Jurisprudence*, § 3.4 (updated Jan. 15, 2025), available at <https://udrpperspectives.org> (“For bad faith to be present, the Respondent must have actual knowledge of the existence of the Complainant, the trademark owner.”) Complainant asserts that its mark is distinctive and well known and, in support, it submits screenshots of its own <princessauto.com> website as well as a news article and other screenshots of websites mentioning its sponsorship of a Canadian Football League stadium and entertainment complex, located in the City of Winnipeg, Manitoba, named Princess Auto Stadium. While this evidence shows some measure of the PRINCESS AUTO mark’s reputation, Respondent’s actual knowledge of Complainant’s mark is nevertheless clear from its own conduct. The website resolving from the <princessautotools.com> domain name reproduces Complainant’s graphic logo, some of its product photographs, and the domain name itself pairs the mark with the word “tools”, a term that directly relates to Complainant’s product line. Registered long after Complainant first used and registered its mark, the disputed domain name cannot plausibly be explained as a coincidence in view of the content of Respondent’s website. Based on the submitted evidence, the Panel finds that Respondent had actual knowledge of Complainant’s mark at the time that it registered the disputed domain name and that it did so in bad faith.

Next, Complainant argues that Respondent registered and uses the <princessautotools.com> domain name in bad faith because Respondent passes itself off as Complainant, confusing and deceiving consumers into thinking that they are dealing with a website that originates with Complainant and is a genuine source for its products. Such conduct is indicative of bad faith per Policy ¶¶ 4(b)(iii) and (iv). See *Lassonde Industries Inc. v. faxforward01 forward*, FA 2052426 (CIIDRC Apr. 13, 2023) (“the use of a domain name for *per se* illegitimate activity such as the sale of counterfeit goods or phishing can never confer rights or legitimate interests on a respondent as such behavior is manifestly considered evidence of bad faith.”) The Panel references the screenshots of the site resolving from the disputed domain name which are described in the previous section. These show Respondent’s use of Complainant’s mark and logo, as well as images of some of Complainant’s products supposedly offered for sale at significant discounts. This gives the clear impression that Respondent’s website originates with Complainant and that Respondent is improperly seeking commercial gain based on confusion with Complainant’s mark. Based on a strong preponderance of the evidence (i.e., more likely than not), the Panel agrees with Complainant’s assertion that Respondent is targeting the PRINCESS AUTO mark and is seeking to impersonate Complainant and perhaps sell counterfeit or unauthorized goods and obtain personal information from customers. As such, the Panel finds firm ground upon which to conclude that Respondent both registered and uses the disputed domain name in bad faith under Policy ¶ 4(b)(iv) and thus under ¶ 4(a)(iii).

## 5. 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 orders that that the <princessautotools.com> domain name be TRANSFERRED to Complainant.

Made as of September 8, 2026

SIGNATURE OF PANEL

*Steven M. Levy*

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