

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

The Bass Tank LLC v. MET Inc. d/b/a Bass Boat Electronics

The Bass Tank · No. CIV-22-1086-D · Decided January 16, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma entered findings of fact and conclusions of law after a bench trial concerning Defendant’s use of the domain name "basstank.com," which incorporated Plaintiff’s THE BASS TANK trademark. The Court awarded Plaintiff \$7,308.03 in disgorged profits and \$40,000 in statutory cybersquatting damages, entered a permanent injunction, and ordered transfer of the domain name. The Court denied attorneys’ fees but permitted Plaintiff to submit a bill of costs.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	January 16, 2026
DOCKET	CIV-22-1086-D
DISPOSITION	other
PROCEDURAL POSTURE	Following a bench trial on trademark infringement, unfair competition, cybersquatting, and related claims, the court entered findings of fact and conclusions of law concerning damages, injunctive relief, transfer of a domain name, attorneys' fees, and costs.
STANDARD OF REVIEW	Bench-trial findings were based on the evidence and credibility determinations; the court exercised discretion under the Lanham Act in assessing profits, statutory damages, injunctive relief, and attorneys' fees.
PRECEDENTIAL VALUE	Unknown

TOPICS

- trademark infringement
- trademark law
- intellectual property
- damages
- remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. What amount of defendant's profits was recoverable under 15 U.S.C. § 1117(a) for the relevant period?
2. Whether enhanced damages under 15 U.S.C. § 1117(a) were warranted.
3. What amount of statutory damages was appropriate under 15 U.S.C. § 1117(d) for defendant's cybersquatting violation?
4. Whether plaintiff was entitled to a permanent injunction and transfer of the basstank.com domain under 15 U.S.C. §§ 1116(a) and 1125(d)(1)(C).
5. Whether plaintiff was entitled to attorneys' fees and costs under 15 U.S.C. § 1117(a).

HOLDINGS

1. Plaintiff was entitled to recover \$7,308.03, representing defendant's gross online sales during the relevant period, because defendant failed to prove any costs or deductions.
2. Enhanced damages were not warranted because an award greater than \$7,308.03 would constitute a prohibited penalty rather than compensation.
3. Plaintiff was entitled to \$40,000 in statutory damages under 15 U.S.C. § 1117(d) for defendant's violation of 15 U.S.C. § 1125(d).
4. The court entered a permanent injunction barring defendant from using THE BASS TANK mark or confusingly similar variations and ordered defendant to transfer basstank.com to plaintiff within fourteen days after entry of judgment.
5. Plaintiff was not entitled to attorneys' fees because the case was not exceptional, but plaintiff could submit a bill of costs under 28 U.S.C. § 1920 within thirty days after entry of judgment.

KEY QUOTATIONS

“Thus, Defendant’s cybersquatting was willful as it intended to appropriate the goodwill of Plaintiff’s mark.”

“Accordingly, in fully weighing and considering the evidence and circumstances, including the importance of not only compensating Plaintiff, but also discouraging wrongful conduct, the Court finds that Plaintiff is entitled to an award of \$40,000.00 pursuant to 15 U.S.C. § 1117(d).”

“Accordingly, in fully weighing and considering the evidence and circumstances, the Court finds Plaintiff is not entitled to attorneys’ fees pursuant to 15 U.S.C. § 1117(a).”

FACTUAL BACKGROUND

The Bass Tank owned a federal registration for THE BASS TANK mark and operated thebasstank.com. MET, a direct competitor, acquired basstank.com, hosted a replica of its own homepage there, and redirected visitors to bassboatelectronics.com. The court found that MET acquired and used the domain with the intent to redirect potential customers and appropriate the goodwill of The Bass Tank's mark, although MET stopped using the

domain shortly after receiving a cease-and-desist letter and agreed to transfer it. Defendant's gross online sales during the legally relevant period were \$7,308.03, and plaintiff identified no specific lost sales.

PROCEDURAL HISTORY

The Bass Tank sued MET under the Lanham Act, common law, and Oklahoma law based on MET's use of the domain name basstank.com. On summary judgment, the court limited recoverable profits to the period from December 22, 2022, through January 6, 2023, and ruled that defendant's profits were unavailable under the Oklahoma Deceptive Trade Practices Act. MET stipulated to liability for trademark infringement and/or unfair competition and to liability under the Anticybersquatting Consumer Protection Act, while contesting damages, willfulness, exceptionality, and fees. After a bench trial on October 15, 2025, the court awarded profits and statutory damages, entered permanent injunctive relief and ordered transfer of the domain, denied attorneys' fees, and allowed a bill of costs.

DISPOSITION

other

CASES CITED

- W. Diversified Serv., Inc. v. Hyundai Motor America, Inc., 427 F.3d 1269, 1272 (10th Cir. 2005)
- Klein-Becker USA, LLC v. Englert, 711 F.3d 1153, 1163 (10th Cir. 2013)
- Vitamins Online, Inc. v. Heartwise, Inc., No. 2:13-cv-982-DAK, 2020 WL 6581050, at *22 (D. Utah Nov. 10, 2020)
- CrossFit, Inc. v. Jenkins, 69 F. Supp. 3d 1088, 1101, 1103 (D. Colo. 2014)
- Wecosign, Inc. v. IFG Holdings, Inc., 845 F. Supp. 2d 1072, 1086 (C.D. Cal. 2012)
- St. Luke's Cataract and Laser Institute, P.A. v. Sanderson, 573 F.3d 1186, 1206 (11th Cir. 2009)
- Original Appalachian Artworks, Inc. v. J.F. Reichert, Inc., 658 F. Supp. 458, 465 (E.D. Pa. 1987)
- Utah Lighthouse Ministry v. Found. for Apologetic Info. & Research, 527 F.3d 1045, 1058 (10th Cir. 2008)
- Octane Fitness, LLC v. ICON Health & Fitness, Inc., 572 U.S. 545, 554, 557 (2014)
- Aftwear, Inc. v. Mast-Jaegermeister US, Inc., No. 22-4020, 2023 WL 8232072, at *2 (10th Cir. Nov. 28, 2023)
- Derma Pen, LLC v. 4EverYoung Ltd., 999 F.3d 1240, 1245-1246 (10th Cir. 2021)
- Nat'l Ass'n of Pro. Basketball Leagues, Inc. v. Very Minor Leagues, Inc., 223 F.3d 1143, 1146 (10th Cir. 2000)
- BEPS Servs., LLC v. Blue Escape Pools, LLC, 4:23-CV-975-SDJ, 2025 WL 2713722, at *9 (E.D. Tex. Sept. 23, 2025)