

## **ADMINISTRATIVE PANEL DECISION**

Death Row Records LLC v. samih dhillon  
Case No. D2025-1113

### **1. The Parties**

The Complainant is Death Row Records LLC, United States of America, represented by Venable, LLP, United States of America.

The Respondent is samih dhillon, United Kingdom.

### **2. The Domain Name and Registrar**

The disputed domain name <deathrow-records.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 18, 2025. On March 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 19, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registrant Unknown, Registration Private, Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 20, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on March 20, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2025. The Respondent sent email communications to the Center on March 25, and 27, 2025.

The Center appointed Jeremy Speres as the sole panelist in this matter on April 29, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### 4. Factual Background

The Complainant has, since 1991, traded as a record label under its DEATH ROW RECORDS mark, focusing on the hip-hop genre. It has represented famous artists such as Dr. Dre, Snoop Dogg, and 2Pac. The Complainant's primary website is located at its domain name <deathrowrecords.com>, which was registered in 1999.

The Complainant's DEATH ROW RECORDS mark has been recognised as being well known by prior UDRP panels. See, e.g., *Death Row Records LLC v. Nano Techan*, WIPO Case No. [D2024-2649](#).

The Complainant's mark is registered in numerous jurisdictions, including in the Respondent's jurisdiction of the United Kingdom under Trademark Registration No. UK00908870297 DEATH ROW RECORDS in classes 9, 25, and 41, having a registration date of August 10, 2010.

The disputed domain name was registered on October 31, 2024, and currently resolves to a website stating: "This page is to create a ledger of prisoners on death row...For sale". The Complainant's evidence establishes that the disputed domain name previously resolved to a website bearing the header "DEATH ROW RECORDS" followed by the statement "Legends of Hip-Hop History" and a copyright notice stating: "Copyright © 2024 Death Row Records – All Rights Reserved".

#### 5. Parties' Contentions

##### A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name was registered and has been used in bad faith in order to take advantage of confusion with the Complainant's well-known trademark for the commercial gain of the Respondent.

##### B. Respondent

The Respondent did not formally reply to the Complainant's contentions. In the Respondent's informal communications, it explained its registration of the disputed domain name as follows:

"I purchased this domain in good faith with the intention of creating a ledger of records related to death row prisoners. In the UK, the term "records" or "ledger" is commonly used for such purposes, and at no point did I intend for it to be confused with any other website or brand."

#### 6. Discussion and Findings

##### A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The

presence of the hyphen does not prevent a finding of confusing similarity in this case. *Six Continents Hotels, Inc. v. Helen Siew*, WIPO Case No. [D2004-0656](#).

The Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent appears to claim rights or legitimate interests in the disputed domain name based on their purported intentions for and use of the disputed domain name in connection with records of prisoners on death row. That is, the Respondent appears to claim rights or legitimate interests flowing from use of the disputed domain name for its descriptive meaning, rather than to benefit from any brand value associated with the Complainant’s mark. However, for the reasons discussed in relation to bad faith below, this defence appears to have been contrived by the Respondent after receiving the Complaint and is somewhat unlikely in the circumstances. It is clear that the Respondent’s intentions were to benefit from confusion with the Complainant’s mark and/or to sell the disputed domain name to the Complainant for valuable consideration in excess of its documented out-of-pocket costs. This cannot confer rights or legitimate interests. *Sistema de Ensino Poliedro Vestibulares Ltda., Editora Poliedro Ltda. v. Anonymize, Inc. / STANLEY PACE*, WIPO Case No. [D2022-1981](#).

The Panel finds the second element of the Policy has been established.

## **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

For the following reasons, the Panel finds that it is more likely than not that the Respondent registered and has used the disputed domain name to take advantage of confusion with the Complainant’s mark for the Respondent’s commercial gain, and/or to sell the disputed domain name to the Complainant for valuable consideration in excess of its documented out-of-pocket costs (absent any evidence from the Respondent to the contrary), falling within paragraphs 4(b)(i) and (iv) of the Policy.

Panels have consistently found that the mere registration of a domain name that is confusingly similar to a widely known trademark, as in this case, by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Respondent's reliance on the descriptive meaning of the disputed domain name, namely for purposes of keeping records of prisoners on death row, is contradicted by the Respondent's earlier usage of the disputed domain name for a website bearing the header "DEATH ROW RECORDS" followed by the statement "Legends of Hip-Hop History". Hip-hop is what the Complainant is best known for, and, given that hip-hop has nothing to do with prisoners on death row, and given the inherent distinctiveness and fame of the Complainant's mark within that genre specifically, it is clear that the Respondent sought to capitalise on the fame of the Complainant's mark. After receiving the Complaint, the Respondent changed the disputed domain name's website to one ostensibly relating to death row prisoner records, however, only a descriptive title is used in this respect, and the site apparently has no records of death row prisoners whatsoever. This after-the-fact defence was clearly contrived as a pretext for cybersquatting.

In accordance with its powers of independent research articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel has established that the disputed domain name is listed for sale on a domain name marketplace for USD 1 million. It is of course legitimate to buy and sell domain names for their semantic value as opposed to any value associated with a trademark. However, it's quite unlikely that anybody interested in records for death row prisoners would be prepared to spend USD 1 million on the disputed domain name, especially given that other hyphenated variations of those terms could be registered as domain names conveying the same semantic content (bearing in mind the hyphenated nature of the disputed domain name). In the circumstances of this case, bearing the repute of the Complainant's mark in mind and the clear untruthfulness of the Respondent's contrived defence, this sales price points towards targeting of the Complainant rather than any intention to sell the disputed domain name for its semantic value.

The Panel finds that the Complainant has established the third element of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <deathrow-records.com> be transferred to the Complainant.

*/Jeremy Speres/*

**Jeremy Speres**

Sole Panelist

Date: May 13, 2025