

ADMINISTRATIVE PANEL DECISION

Gurudev Sri Sri Ravi Shankar Venkatratnam Ravishankar Ramanayakanpet
v. Flemming Funch, Light Connections SAS
Case No. D2025-3389

1. The Parties

The Complainant is Gurudev Sri Sri Ravi Shankar Venkatratnam Ravishankar Ramanayakanpet, India, represented by Photon Legal, India.

The Respondent is Flemming Funch, Light Connections SAS, France.

2. The Domain Name and Registrar

The disputed domain name <artofliving.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 22, 2025. On August 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 26, 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 (“Private by Design, LLC”) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

The Center verified that 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 October 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 3, 2025. The Response was filed with the Center on November 3, 2025.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on November 17, 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 is Gurudev Sri Sri Ravi Shankar Venkatratnam Ravishankar Ramanayakanpet, an individual and citizen of India.

The Complainant, and related entities to the Complainant's organization, are the owners of a global portfolio of registered trademarks in respect of the mark THE ART OF LIVING, typically represented in a figurative mark consisting of two swans on either side of a rising sun image, underneath which are the capitalized words THE ART OF LIVING with a line above and below, in a serif typeface. The Panel lists two such marks by way of example:

Indian Registered Trademark Number 1994287 in respect of the said device mark, originally registered in the name of Prasanna Prabhu on July 16, 2010, in Classes 22, 23, 24, and 25; and

International Registered Trademark Number 1183465 in respect of the said device mark, registered on July 8, 2013, in Classes 3, 5, 9, 16, 25, 38, 41, and 44, designated in respect of over 60 jurisdictions.

Although the Panel was not provided with the dates of registration of all of the Complainant's trademarks, each of the Complainant's Indian trademarks are listed in the Complaint as having an application date of July 16, 2010. According to the Complaint, these marks were accompanied by a "user claim" dated January 1, 1981. As far as the Panel can tell, this latter date is a claim of first use. Such a claim is typically of limited evidentiary value on its own in administrative proceedings brought under the Policy (see, for example, *Dow Jones & Company, Inc. v. Idea Studios LLC dba Envent*, WIPO Case No. [D2009-1033](#)).

The Complainant states, but does not evidence independently, that it founded an organization under the name and mark THE ART OF LIVING in 1981, followed by the creation of "The Art of Living Foundation" in the United States of America and Germany in 1989. The Complainant adds that these organizations conduct core activities focused on wellbeing and social service initiatives. The Complainant claims that its organization has touched over 500 million lives, and that its service initiatives have impacted over 370 million people across 155 countries on six continents. The Complainant's evidence shows that it has multiple followers on social media, including 2.6 million followers on Facebook and 271,800 followers on "www.x.com". The only available evidence of when the Complainant joined such social media in the evidence before the Panel is its account on "www.x.com", which it joined in November 2011. The Complainant also claims to have received numerous awards for its activities under its THE ART OF LIVING mark. The Complainant provided evidence that it operates an official website at "www.artofliving.org".

The disputed domain name was registered on April 27, 1996. According to an entry on the website associated with the disputed domain name dated 2002, the Respondent is a visionary futurist, personal development counsellor, computer professional, and programmer of online collaborative environments. As is more particularly described in the Respondent's contentions below, the Respondent's position is that the disputed domain name was registered by it on behalf of a (named) friend who had founded a non-profit organization (described on a historic screenshot entry from the said website dated February 2, 2001 as "The Art of LIVING Coalition", a project of Social & Environmental Entrepreneurs (SEE), a tax-exempt 501C3 public charity". The Panel presumes this refers to a tax-exempt status under section 501(c)(3) of the Internal Revenue Code for the place where the said organization was based. The Respondent produces various entries from the said website dated 1999, 2001, and 2002 showing the Respondent's friend's various art projects, which the Respondent supported and promoted via the said website. As noted above, the said website also contains a brief profile of the Respondent itself, dated 2002. The Respondent produces various emails to its friend dated 2010 and 2011 regarding requests for payment of the renewal dues for the disputed

domain name, among others. The Respondent also produces an email issued by the friend to presumably multiple recipients dated June 6, 2017, which describes the friend's art project and various activities in which it is said to have engaged from 1990 to 2004, and which includes an allegedly published article about this said to date from 1990. The said email uses the disputed domain name for the recipient's email address.

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 it has both registered trademarks and an unregistered trademark in the mark THE ART OF LIVING. With regard to the latter, the Complainant asserts that the duration of use of the mark since 1981, the nature and extent of its humanitarian activities, the extensive impact and reach of said activities across a diverse portfolio, the nature and extent of advertising under said mark (notably via social media), the degree of public recognition (notably with reference to awards allegedly received), and the association of all of these matters globally with the Complainant, are sufficient to establish a secondary meaning in the term THE ART OF LIVING that is associated with the Complainant.

The Complainant submits that the dominant and distinctive part of the Complainant's mark is incorporated in the disputed domain name, with the only difference being the absence of the definite article, which it asserts is minor and non-distinctive.

The Complainant asserts that there is no evidence that the disputed domain name has been used, or that there have been preparations to use it, in connection with a bona fide offering of goods and services, noting that the registration of the disputed domain name in 1996 post-dates the alleged date of commencement of the Respondent's activities in 1981. The Complainant notes that there is no active website associated with the disputed domain name apart from an offer for sale, and the Complainant contends that this refutes any claim of a bona fide offering of goods or services. The Complainant submits that the Respondent is not commonly known by the disputed domain name based on any personal or business name, or otherwise. The Complainant adds that the Respondent is not engaged in a legitimate noncommercial or fair use of the disputed domain name, alleging that the highly distinctive nature of the Complainant's THE ART OF LIVING trademark renders any use of a confusingly similar domain name inherently likely to mislead consumers, and that the offer to sell the disputed domain name constitutes an attempt to derive commercial gain by leveraging the Complainant's well-established goodwill and brand recognition.

The Complainant contends that it is highly improbable that the disputed domain name was registered without knowledge of the Complainant's rights, asserting that its mark THE ART OF LIVING had been in extensive use since 1981, and noting that the disputed domain name was registered some 15 years later, adding that the identical nature of the disputed domain name to a well-known mark, and the Complainant's substantial global presence by that date, strongly indicates bad faith. The Complainant asserts that the offer of the disputed domain name for sale shows that the Respondent registered it to profit from the Complainant's goodwill, adding that the passive holding of the disputed domain name when also offered for sale evidences bad faith.

The Complainant asserts that by registering a domain name identical to its trademark, the Respondent has prevented it from reflecting its mark in a ".com" domain name. The Complainant submits that this, combined with passive holding and an offer for sale, demonstrates bad faith. The Complainant claims that its longstanding use of THE ART OF LIVING mark since 1981 and operation of the domain name <artofliving.org> signifies its legitimate interest in using the disputed domain name for its online presence, adding that the Respondent's pre-emptive registration and lack of legitimate use, while offering the disputed domain name for sale, further indicates bad faith. The Complainant submits that the absence of hosted content or legitimate services on the disputed domain name supports the conclusion of bad faith.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

The Respondent asserts that it registered the disputed domain name on April 27, 1996, on behalf of a friend [named in the Response but unnecessary to name here] who had founded a small non-profit arts-based community project called “The Art of Living”. The Respondent submits that over the years it managed registration, hosting, and technical support for various small non-profit organizations using various domain name registrars, adding that its friend paid or intended to pay for such registration and hosting, and noting also that once payments fell into arrears, the Respondent continued maintaining the site at its own expense as a courtesy and in support of its friend’s work.

The Respondent contends that the disputed domain name was used continuously for many years for its friend’s non-profit activities, events, and communications, with volunteer contributions to the website and the Respondent’s own limited involvement noted on the webpages (evidence provided). The Respondent submits that in the late 1990s and early 2000s, representatives of the Complainant’s foundation contacted its friend seeking to purchase the disputed domain name (evidence not provided), which offer was declined, and a disclaimer link was added directing visitors to the Complainant’s domain name. The Respondent asserts that its friend passed away in November 2022 and that, pursuant to a family request, it kept the friend’s sites online, including that at the disputed domain name, as a memorial for one year. The Respondent notes that thereafter it had no need for the disputed domain name, so placed it for sale on an aftermarket website, principally to recoup its unpaid costs from three decades of renewals and hosting. The Respondent submits that neither it nor its friend ever used the disputed domain name to impersonate or compete with the Complainant, nor to mislead visitors, nor to profit from the Complainant’s goodwill.

The Respondent acknowledges that the string in the disputed domain name matches the Complainant’s mark textually, but adds that the disputed domain name predates all of the Complainant’s cited registrations by approximately 14 years, submitting that it was registered and publicly used in connection with a legitimate, good faith, bona fide, non-profit activity by its friend for years, after which the Respondent maintained it as caretaker, demonstrating a legitimate interest under the Policy. The Respondent concludes that the disputed domain name could not have been registered in bad faith because it was registered in 1996 before the Complainant’s trademark filings and before the Complainant had a significant online presence, and that its purpose was for a genuine non-profit use rather than to sell it to or to block the Complainant. The Respondent contends that the Complainant’s alleged approach to its friend demonstrates that the original registration was independent and not targeting the Complainant. The Respondent asserts that the offer for sale reflects only the normal disposition of an old, unused asset, not any bad faith exploitation of the Complainant’s mark.

6. Discussion and Findings

6.1. Preliminary issue: Identity of the Respondent

Paragraph 1 of the Rules defines the Respondent as “the holder of a domain-name registration against which a complaint is initiated”. The Panel nevertheless has discretion to substitute or join another entity as a respondent by way of its general powers as set out in paragraph 10(a) of the Rules, and as discussed further below.

In the Complaint, the Complainant originally listed the Respondent as a privacy or proxy service provider. The Respondent’s name and details were provided by the Registrar in response to the Center’s verification request. As is noted in section 4.4.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), as a matter of panel-endorsed practice, in such cases, further to its compliance review and case notification responsibilities, the Center will (a) provide any disclosed underlying registrant information to the complainant, and (b) invite the complainant to amend the

complaint to reflect such information. As is reflected in the procedural history above, this was done in the present case. As the Complainant failed to affirmatively reply to the Center's invitation to amend the Complaint to reflect the registrant information provided by the Registrar, the Panel considers the Complainant chose not to amend its Complaint to reflect the registrant's details. Section 4.4.1 of the [WIPO Overview 3.0](#) goes on to note that, in such a scenario, the Center would not normally treat this as a complaint deficiency, although noting that complainants do tend to amend their complaints to reflect any disclosed underlying registrant information, in particular to avoid raising possible decision enforcement questions by the registrar.

Here, the Complainant's decision not to amend the Complaint, at least to reflect the details of the registrant as provided by the Registrar, could potentially give rise to such enforcement questions. Section 4.4.5 of the [WIPO Overview 3.0](#) notes however, that in all cases involving a privacy or proxy service and irrespective of the disclosure of any underlying registrant, the appointed panel retains discretion to determine the respondent against which the case should proceed.

Here, the Panel notes that the holder of the disputed domain name has been revealed by the Registrar, and in light of the evidence before it, the Panel is satisfied that this person is the underlying registrant of the disputed domain name. In these circumstances, the Panel is content to join that person as a Respondent in the present case, which may facilitate the Registrar's implementation of any order for transfer of the disputed domain name in the event of the Complainant's success in the administrative proceeding.

6.2 Substantive Issues

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 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 Panel finds the mark is recognizable 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 trademarks cited by the Complainant are marks in which both word and graphical elements are represented. The Panel is satisfied that the graphical elements are severable from the underlying word elements, such that the latter may be compared to the disputed domain name. The Panel notes that at least one of the Complainant's marks contains a disclaimer in respect of the sun and swan graphical elements, which specifies that the mark must be used as a whole. However, nothing turns on this particular disclaimer as none of the textual elements have been disclaimed. [WIPO Overview 3.0](#), section 1.10.

The absence of the definite article (not present in the disputed domain name but present in the Complainant's mark) is a minor difference which does not affect the recognizability of the Complainant's mark in the disputed domain name and therefore does not prevent a finding of confusing similarity for the purposes of the Policy. The applicable Top-Level Domain ("TLD") in a domain name (here ".com"), is viewed as a standard registration requirement and as such may be disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1. Likewise, the absence of a space in the disputed domain name is of no consequence as spaces are not permitted in domain names for technical reasons.

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

B. Rights or Legitimate Interests

The requirements of paragraph 4(a) of the Policy are conjunctive. A consequence of this is that failure on the part of a complainant to demonstrate one element of the Policy will result in failure of the complaint in its entirety. Accordingly, in light of the Panel's findings in connection with the third element assessment under the Policy, no good purpose would be served by addressing the issue of the Respondent's rights or legitimate interests in the disputed domain name.

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.

In the present case, the Panel notes that the Respondent claims to have registered the disputed domain name in 1996 on behalf of its friend, who then used it for various art projects. The evidence provided of various historic website screenshots supports the Respondent's case and suggests that the Respondent, and/or its friend, registered the disputed domain name some 14 years, and used it for said art project 11 years before the Complainant's trademark rights accrued. Panels under the Policy typically do not make a finding of registration in bad faith if, as here, the domain name concerned is registered or acquired by the respondent before the complainant's trademark rights accrue. [WIPO Overview 3.0](#), section 3.8.1.

However, there is also the question of the Complainant's claim to unregistered trademark rights predating the registration of the disputed domain name, based upon its alleged creation of its eponymous organization in 1981 and its foundation in 1989, some 15 and 7 years respectively before the disputed domain name was registered, and of the alleged prominence of their subsequent non-profit activities. As far as these are concerned, the Complainant's case consists purely of assertions which have not been backed by evidence. Crucially, the Complainant does not provide any independent evidence or other adequate support for the notion that its name would more probably than not have acquired a secondary meaning by the material date, or that the extent and reach of any such unregistered trademark would have come to the Respondent's attention before it registered the disputed domain name.

It must be observed that the disputed domain name consists of ordinary English words which create a meaningful phrase. In the absence of evidence to the contrary, it is perfectly reasonable for the Panel to infer that the Respondent or its friend came up with this name for a non-profit art project independently of any (then) nascent rights which the Complainant might have been developing. It is of some importance that the disputed domain name was then used for many years in connection with such art project whereby the name "art of living" (spaces added) within the disputed domain name is entirely apposite and does not, in and of itself, suggest that the Respondent or its friend were seeking to target, or were even aware of, any such rights of the Complainant.

The disputed domain name has recently been offered for sale. However, this fact in the circumstances of the present case does not demonstrate bad faith on the part of the Respondent, notably because it is inconceivable that the Respondent could play what would necessarily amount to an impossibly long game of cybersquatting from 1996 until much more recently, including establishing an apparently legitimate art project of its own and operating this for many years, which project would necessarily have to be pretextual in that scenario. Having apparently acquired the disputed domain name independently of any rights of the Complainant, and for a legitimate, non-pretextual purpose, the Respondent is in a position to offer the disputed domain name for sale on whatever terms it considers appropriate (subject to any arrangements between itself and its late friend of which the Panel knows little, and which would in any event be a matter beyond the scope of the Policy).

The evidence in the case file as presented does not indicate that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's trademark.

The Panel finds that the Respondent did not register the disputed domain name in bad faith targeting of the Complainant or its trademark rights because the Complainant has not established that the Respondent was, more likely than not, aware of the Complainant's claimed trademark rights at the time that the Respondent registered the disputed domain name, while also noting the composition of the disputed domain name as consisting of ordinary English words which create a meaningful phrase.

The Panel finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

The Respondent did not expressly seek a finding of Reverse Domain Name Hijacking in the present case. However, the Panel wishes to observe, for completeness, that the Complainant escapes such a finding here only by a very small margin. The Complainant was well aware of the fact that the disputed domain name had been registered a very long time ago, long before the registration of its various trademarks. While the Complainant made a series of submissions regarding the alleged existence of unregistered trademark rights at the material date, broadly along the lines of the [WIPO Overview 3.0](#), section 1.3, it failed to back these up with any suitable dated and independent evidence whatsoever. Notably, all of the Complainant's evidence of a substantial social media following must necessarily post-date the invention of social media, which had not occurred in 1996. The Complainant must be deemed to have known this, not least because of the much later date or dates on which it created its various social media pages. Besides such pages, the Complainant only produced, without commentary, what the Panel assumes to be current extracts from the Complainant's website, some press releases of relatively recent date, and a substantial list of (largely undated) social projects in which it is said to have engaged. These also fail to establish the existence of any rights, or their extent and reach, at the material date.

The Panel has noted above the fact that the Complainant failed to amend the Complaint to redirect it to the underlying registrant as identified by the Registrar. Indeed, there is no evidence that the Complainant performed any due diligence whatsoever regarding the Respondent/registrar after its existence was notified by the Center. For example, had the Complainant reviewed the publicly available historic screenshots ultimately produced by the Respondent (something which it should have investigated due to the age of the disputed domain name alone) it would at least have identified the Respondent's possible legitimate interest in the disputed domain name from the 2002 bio page on the associated website.

While, as noted above, it is something of a close call, the Panel has determined not to make a finding of Reverse Domain Name Hijacking here for the sole reason that it remained a possibility, albeit not particularly likely, that the Respondent had subsequently acquired the disputed domain name, notwithstanding the date of registration as shown on RDAP records, and had offered it for sale in a manner which targeted the Complainant's (by then) extant rights. In these circumstances, the Panel considers that the Complainant at least has a stateable case that the Complaint was not brought in bad faith. The Panel therefore declines to enter a finding of Reverse Domain Name Hijacking.

The Panel notes that its assessment on this topic might have been different had the Respondent provided evidence to support its assertion that, in the late 1990s and early 2000s, the Complainant's Los Angeles, United States of America, representatives approached the Respondent's friend seeking to purchase the disputed domain name, which offer was declined. Evidence to that effect might have supported the notion that, in the circumstances of this case, the Complaint was brought in bad faith.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Andrew D. S. Lothian/

Andrew D. S. Lothian

Sole Panelist

Date: December 1, 2025