ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Spiritmen Limited v. taylorn taylorn
Case No. D2026-1925

1. The Parties

The Complainant is Spiritmen Limited, United Kingdom, represented by Com Laude Limited, United Kingdom.

The Respondent is taylorn taylorn, United States of America.

2. The Domain Name and Registrar

The disputed domain name <silentpooldistillers.shop> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 5, 2026. On May 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 2026, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 21, 2026, 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 amended Complaint on May 21, 2026.

The Center verified that the Complaint together with the amended 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 June 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 23, 2026.

The Center appointed Elise Dufour as the sole panelist in this matter on June 25, 2026. 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, Spiritmen Limited, is a company incorporated under the laws of England and Wales.

The Complainant operates under the trading name "Silent Pool Distillers" and produces ultra-premium artisanal gin and other spirits. Its distillery is situated in the Surrey Hills Area of Outstanding Natural Beauty. The Complainant's flagship product, Silent Pool Gin, is crafted using locally sourced botanicals and spring water from the Silent Pool, a natural spring lake on the North Downs of Surrey.

The Complainant's products are sold through major national and international retailers as well as through the Complainant's own online and physical retail presence, including its official website at "www.silentpooldistillers.com".

The Complainant is the owner of the following registered trademarks, among others:

Trademark No.	Name	Jurisdiction	Registration Date	Class(es)
012914115	SILENT POOL DISTILLERS (figurative)	European Union	October 21, 2014	33, 35, 40
012914263	SILENT POOL (word)	European Union	October 21, 2014	33, 35, 40
UK00912914115	SILENT POOL DISTILLERS (figurative)	United Kingdom	October 21, 2014	33, 35, 40
UK00912914263	SILENT POOL (word)	United Kingdom	October 21, 2014	33, 35, 40

The Complainant's registered marks predate the registration of the disputed domain name by approximately twelve years.

The disputed domain name was registered on March 27, 2026. The registrant's identity was shielded behind a privacy service (Privacy service provided by Withheld for Privacy ehf) at the time of filing.

At the time of the filing of the Complaint, the disputed domain name resolved to an active website presenting itself as an official or authorized online retail outlet for the Complainant's products.

The Respondent's website displayed the Complainant's SILENT POOL DISTILLERS logotype and branding throughout (including as the website favicon), reproduced the overall look and feel of the Complainant's official website at "www.silentpooldistillers.com", used the Complainant's product photographs and product descriptions, and offered for sale items presented as the Complainant's goods at prices denominated in United States dollars and significantly below the Complainant's standard retail prices.

The website bore the banner "Free Worldwide Shipping on All Orders!" and displayed a footer notice "© 2026 Silent Pool Distillers. All rights reserved."

The Panel notes that, at the time of this Decision, the disputed domain name resolves to an inactive webpage.

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 is confusingly similar to its SILENT POOL and SILENT POOL DISTILLERS registered marks, as the disputed domain name incorporates the SILENT POOL DISTILLERS mark in its entirety, and that the Top-Level Domain ("TLD") ".shop" reinforces rather than diminishes the likelihood of confusion given the Complainant's active e-commerce presence.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name, having never been authorized or licensed to use the Complainant's marks, and that the Respondent's website impersonates the Complainant and fails the Oki Data test applicable to resellers.

Furthermore, the Complainant states that the Respondent's website under the disputed domain name served the Complainant's logotype directly from the Complainant's own content delivery network (CDN) without any authorization. The website contained no disclaimer clarifying that it was unaffiliated with the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith, as the Respondent was manifestly aware of the Complainant's marks at the time of registration, has created a likelihood of confusion for commercial gain, and has disrupted the Complainant's business.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Complainant has demonstrated rights in the registered marks SILENT POOL and SILENT POOL DISTILLERS in both the European Union (Nos. 012914115 and 012914263) and the United Kingdom (Nos. UK00912914115 and UK00912914263), registered since October 21, 2014, in classes 33 (spirits), 35, and 40. These registrations substantially predate the registration of the disputed domain name by approximately twelve years.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

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 that 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 3.1, 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.

In particular, the Panel notes the following: (i) the Respondent has not been commonly known by the disputed domain name or by the names SILENT POOL or SILENT POOL DISTILLERS prior to or after registration (WIPO Overview 3.1, section 2.3); (ii) the Respondent has received no permission, authorization, or licence from the Complainant to use its marks, logotype, product images, or trade dress in any capacity; (iii) the Respondent's use of the disputed domain name to operate a website closely impersonating the Complainant - reproducing its branding, visual identity, product catalogue, and CDN assets without authorization, with a footer claiming copyright over the Complainant's brand name, and offering products at heavily discounted prices consistent with counterfeit or grey market goods - cannot constitute a bona fide offering of goods or services under Policy paragraph 4(c)(i); and (iv) the disputed domain name falsely suggests official affiliation with the Complainant, such that no claim of fair use can succeed (WIPO Overview 3.1, section 2.5). The Respondent's website also fails the cumulative Oki Data test on at least the grounds that the Respondent is not part of the Complainant's authorized distribution network and the website under the disputed domain name contains no disclaimer accurately disclosing the absence of a relationship with the Complainant (WIPO Overview 3.1, section 2.8.1).

Panels have held that the use of a domain name for copycat sites and passing off can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel further observes that, in this particular case, the TLD ".shop" reinforces the likelihood of confusion. Internet users encountering the disputed domain name would reasonably assume it to be the Complainant's official online retail outlet for spirits, given the Complainant's extensive e-commerce presence under the SILENT POOL DISTILLERS name.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name on March 27, 2026, incorporating the Complainant's SILENT POOL DISTILLERS mark in its entirety, combined with the TLD ".shop", and immediately deployed the disputed domain name to operate a website comprehensively

impersonating the Complainant. Given that the Complainant's marks have been registered since October 2014 and are actively used in commerce in the United Kingdom and internationally, it is inconceivable that the Respondent was unaware of the Complainant's marks at the time of registration. The immediate and comprehensive reproduction of the Complainant's branding, trade dress, product catalogue, and CDN assets upon registration is compelling evidence of targeting.

Under paragraph 4(b)(iv) of the Policy, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods offered thereon. Any initial confusion created by the disputed domain name is not dispelled upon arrival at the Respondent's website, on the contrary, it is reinforced: the website displays the Complainant's registered logotype prominently throughout, replicates the overall visual architecture of the Complainant's official website, reproduces the Complainant's product photographs and descriptions, serves the Complainant's branding assets directly from the Complainant's own CDN without authorization, offers products at heavily discounted prices consistent with counterfeit or fraudulent e-commerce, and bears the copyright legend "© 2026 Silent Pool Distillers. All rights reserved." No disclaimer of any kind is present. See *Inter IKEA Systems B.V. v. Domains By Proxy, LLC / mustafa Yildiz*, WIPO Case No. D2013-1146.

Under paragraph 4(b)(iii) of the Policy, the Panel further finds that the Respondent registered the disputed domain name with prior knowledge of and intent to target the Complainant's marks, and has used the disputed domain name to divert Internet users away from the Complainant's legitimate business to the Respondent's commercial operation, thereby disrupting the Complainant's business. See *Louis Tomlinson c/o Lee & Thompson LLP v. Whois Privacy, Private by Design, LLC / minh pham Cardinal*, WIPO Case No. D2021-1542.

The Panel also notes that no plausible good faith use of the disputed domain name exists or could exist, now or in the future, given that it incorporates the Complainant's SILENT POOL DISTILLERS mark in its entirety combined with the TLD ".shop". See *Arnold Clark Automobiles Limited v. Ian Rodes*, WIPO Case No. D2018-1473.

Panels have held that the use of a domain name for copycat sites and passing off constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <silentpooldistillers.shop> be transferred to the Complainant.

/Elise Dufour/
Elise Dufour
Sole Panelist
Date: July 9, 2026