

ADMINISTRATIVE PANEL DECISION

National Public Radio, Inc. v. John Thornberry
Case No. DIO2026-0015

1. The Parties

The Complainant is National Public Radio, Inc., United States of America (“United States”), represented by Cooley LLP, United States.

The Respondent is John Thornberry, United States.

2. The Domain Name and Registrar

The disputed domain name <theindicator.io> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 2, 2026. On April 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 12, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on April 15, 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 April 20, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the “Policy”), the Rules for .IO Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .IO 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 April 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 12, 2026.

The Center appointed Evan D. Brown as the sole panelist in this matter on May 20, 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 is in the business of producing and distributing broadcast and digital media content, including news, entertainment, and cultural programming. Among the Complainant's offerings is a podcast known as "The Indicator from Planet Money", which the Complainant has distributed since at least as early as December 4, 2017, and which is focused on topical economic issues. The Complainant owns a United States trademark registration for THE INDICATOR on the Supplemental Register (Reg. No. 5,922,928, registered on November 26, 2019).

According to the Whois records, the disputed domain name was registered on September 2, 2025. The Respondent has used the disputed domain name to operate a website that imitates the Complainant's "The Indicator from Planet Money" program, prominently displaying the Complainant's mark, identifying the Complainant's actual program hosts, and reproducing content resembling the Complainant's programming. The Complainant further asserts that the Respondent has used email addresses associated with the disputed domain name to solicit personal information from individuals under the pretense of conducting interviews.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered or is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name, and (iii) the disputed domain name has been registered or is being used in bad faith. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Select UDRP¹ Questions ("[WIPO Overview 3.1](#)"), section 1.7.1. 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. This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

The Complainant owns a United States trademark registration for mark THE INDICATOR (Reg. No. 5,922,928, registered November 26, 2019). The registration is on the Supplemental Register, which by itself is not sufficient to establish trademark rights for purposes of the Policy. See [WIPO Overview 3.1](#),

¹ Although [WIPO Overview 3.1](#) is directed to the Uniform Domain Name Dispute Resolution Policy ("UDRP"), given the similarity between the UDRP and the .IO Policy, it is appropriate to have regard to these principles except to the extent that the .IO Policy diverges from the UDRP.

section 1.2.2. The Panel therefore considers whether the Complainant has established unregistered or common law rights in the mark. To establish such rights, a complainant must show that the mark has become a distinctive identifier which consumers associate with the complainant's goods or services. See [WIPO Overview 3.1](#), section 1.3. Relevant evidence includes the duration and nature of use of the mark, the amount of sales under the mark, the nature and extent of advertising, consumer surveys, and media recognition.

The record supports a finding that the Complainant has acquired such rights in the THE INDICATOR mark. The Complainant has used the mark in connection with a podcast program of the same name since at least as early as December 4, 2017, a period of more than eight years prior to the filing of the Complaint. The program is produced by the same team behind the Complainant's well-known "PLANET MONEY" program and is distributed through the Complainant's own platforms and through major podcast services. The Complainant's longstanding and continuous use of the mark, combined with the recognition the Complainant has earned through decades of journalism and audio programming, is sufficient to establish that the mark has become a distinctive identifier of the Complainant's podcast. The Panel finds that the Complainant has common law trademark rights in the mark THE INDICATOR for purposes of the Policy. The fact that the website at the disputed domain name incorporates THE INDICATOR together with the text "from PLANETMONEY" to misleadingly suggest that the contents of the website are originated from the Complainant further supports the Panel's findings of common law rights for the purposes of the Policy.

The disputed domain name incorporates the mark THE INDICATOR in its entirety. The disputed domain name is therefore identical to the Complainant's mark for purposes of the Policy.

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent (with the burden of proof always remaining with the Complainant). See [WIPO Overview 3.1](#), section 2.1.

On this point, the Complainant asserts, among other things, that: (1) the Respondent is not commonly known by the disputed domain name, and the Respondent's Whois information makes no reference to the Complainant's mark as the Respondent's name or nickname; (2) the Complainant has not authorized or licensed the Respondent to use the Complainant's mark in any way, and the Respondent is not affiliated or related to the Complainant; (3) the Respondent registered the disputed domain name after the Complainant had established rights in its mark, and accordingly had at least constructive notice of those rights; and (4) the Respondent is using the disputed domain name to profit from the Complainant's mark, including by soliciting personal information from individuals under false pretenses, which cannot constitute a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy.

The Complainant has established its prima facie case. The Respondent has not presented evidence to overcome this showing, and nothing in the record otherwise tilts the scales in the Respondent's favor. Use of a domain name to impersonate the Complainant and to solicit personal information from third parties under false pretenses can never confer rights or legitimate interests upon a respondent. See [WIPO Overview 3.1](#), section 2.13.1.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered or Used in Bad Faith

The facts of this case demonstrate that the Respondent registered the disputed domain name with knowledge of the Complainant and its THE INDICATOR mark, and with the intention of trading on the Complainant's goodwill and reputation. The Respondent registered the disputed domain name in September 2025, nearly eight years after the Complainant commenced use of its mark. The Respondent has used the disputed domain name to operate a website that imitates the Complainant's own program, prominently displaying the Complainant's mark, identifying the Complainant's actual program hosts, and reproducing content resembling the Complainant's programming. In these circumstances, it is implausible that the Respondent selected the disputed domain name without knowledge of the Complainant.

The Respondent's conduct also constitutes bad faith use of the disputed domain name. By using the disputed domain name to impersonate the Complainant and to solicit personal information from third parties under false pretenses, the Respondent has engaged in conduct that falls squarely within the circumstances of bad faith described in paragraph 4(b)(iv) of the Policy. The Respondent has intentionally attempted to attract, for commercial gain, Internet users to its 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. The use of a domain name for per se illegitimate activity such as impersonation and phishing is manifestly considered evidence of bad faith. See [WIPO Overview 3.1](#), section 3.4.

Accordingly, the Panel finds that the Complainant has established this third element under 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, <theindicator.io>, be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: June 1, 2026