

ADMINISTRATIVE PANEL DECISION

Pet Plan Ltd v. Isli Lugo
Case No. D2024-4639

1. The Parties

The Complainant is Pet Plan Ltd, United Kingdom, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Isli Lugo, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain names <petplanshop.net> and <petsplanshop.com> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 11, 2024. On November 12, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 13, 2024, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 14, 2024, 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 November 18, 2024.

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 November 20, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 10, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 11, 2024.

The Center appointed Yuri Chumak as the sole panelist in this matter on December 18, 2024. 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 a pet insurance provider in the United Kingdom. Founded in 1976, the Complainant is now a subsidiary of Allianz Insurance plc – one of the largest general insurers in the United Kingdom and part of the Allianz Global Group, a global financial services provider. Over the past four decades, the Complainant has continually operated under the name “Pet Plan” and has used the PETPLAN trademark in connection with its pet insurance services.

The Complainant owns several trademark registrations across various jurisdictions, including with the United States Patent and Trademark Office (“USPTO”), the United Kingdom Intellectual Property Office (“UKIPO”), Intellectual Property Office of Ireland (“IPOI”), and the European Union Intellectual Property Office (“EUIPO”). Relevant registrations include:

Trademark	TM Office	Registration Number	Registration Date
PETPLAN	USPTO	3161569	October 24, 2006
PETPLAN	UKIPO	UK00002052294	January 17, 1997
PETPLAN	UKIPO/EUIPO	UK00900328492	October 16, 2000
PETPLAN	UKIPO/EUIPO	UK00901511054	December 18, 2001
PETPLAN	IPOI	202888	July 1, 1996
PETPLAN	EUIPO	000328492	October 16, 2000
PETPLAN	EUIPO	001511054	December 18, 2001

Complainant offers a wide range of pet insurance products—from policies covering dogs, cats, rabbits, horses, and exotic animals to specialized insurance for businesses involved in pet care. The Complainant’s PETPLAN brand has achieved significant recognition in the marketplace. The Complainant has received numerous accolades, such as the World Branding Awards – Brand of the Year (2017-2018, 2019-2020) and the Consumer MoneyWise Awards – Most Trusted Pet Insurance Provider (2017).

The Complainant maintains an Internet presence through its primary domain name, <petplan.co.uk>, registered since August 1996. According to SimilarWeb.com, this domain attracted over 750,000 total visits in November 2023 and ranked 22nd in its category in the United Kingdom, indicating the breadth of reach of the Complainant. The Complainant is also active on social media platforms including Facebook (with over 150,000 likes) and X (formerly Twitter, with over 14,000 followers), reinforcing its substantial online visibility.

The disputed domain names were both registered on March 15, 2024, and each resolved to a GoDaddy parking page containing apparent “pay-per-click” (PPC) links, as shown in Annex 3 to the Complaint.

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.

The Complainant contends that the disputed domain names are confusingly similar to its registered PETPLAN trademark. By capturing a pluralized version of the Complainant’s PETPLAN mark and appending the dictionary word “shop,” the disputed domain names retain the dominant element “PETPLAN,”

making them confusingly similar to the Complainant's mark. The Complainant submits that the addition of descriptive or generic words does not prevent a finding of confusing similarity.

Furthermore, the Complainant argues that the Respondent lacks rights or legitimate interests in the disputed domain names. The Complainant states that it has not licensed, authorized, or otherwise permitted the Respondent to use the PETPLAN mark, nor is the Respondent commonly known by any variation of "PETPLAN." Instead, the Respondent is using the disputed domain names to direct Internet users to websites featuring pay-per-click links, some of which promote competing businesses in the pet insurance or related markets. Such use, according to the Complainant, does not constitute a bona fide offering of goods or services and demonstrates no legitimate noncommercial or fair use.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. Given the fame and longstanding nature of the Complainant's PETPLAN trademark, the Respondent was or should have been aware of the Complainant's rights at the time of registration. The Complainant points out that the Respondent's websites contain pay-per-click links, including links to direct competitors, presumably generating commercial gain through user confusion. The Complainant also emphasizes that the Respondent registered the disputed domain names decades after the Complainant secured its PETPLAN trademarks, thus exhibiting bad faith. The use of a privacy service and the Respondent's failure to respond to attempts at resolving this dispute further support the finding of bad faith.

The Complainant requests that the disputed domain names be transferred to its ownership.

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 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.

Although the addition of other terms, here, "shop" as well as the plural form "pets", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 names. 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 names such as those enumerated in the Policy or otherwise.

While one disputed domain name has added a "s" to the PET element of the Complainant's PETPLAN trademark, both disputed domain names have also added the word "shop" to the Complainant's trademark, which is descriptive of the Complainant's retail services. Accordingly, the Panel finds that the composition of the disputed domain name is such to carry a risk of implied affiliation to the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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 names well after the Complainant established and obtained trademark registrations for its PETPLAN mark, thereby suggesting that the Respondent may have had knowledge of the Complainant's rights at the time of registration. The Respondent has used the disputed domain names to display apparent PPC links that redirect Internet users to third-party websites, some of which were alleged to compete with the Complainant. Such use appears intended to generate referral revenue and to attract Internet traffic for commercial gain by creating a likelihood of confusion with the Complainant's mark, which is a recognized form of bad faith.

Further, the Respondent has neither replied to the Complainant's contentions nor provided any evidence of actual or intended good-faith use. The combination of the Complainant's longstanding rights in the PETPLAN mark, the Respondent's use of the disputed domain names for PPC links to competitors, and the lack of any credible justification from the Respondent leads the Panel to conclude that the disputed domain names were registered and are being used in bad faith.

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 names <petplanshop.net> and <petsplanshop.com> be transferred to the Complainant.

/Yuri Chumak/

Yuri Chumak

Sole Panelist

Date: January 1, 2025