

ADMINISTRATIVE PANEL DECISION

Lifepoint Health, Inc. v. Reynold Mullen, Building Beyond LLC
Case No. D2025-0408

1. The Parties

The Complainant is Lifepoint Health, Inc., United States of America ("United States"), represented by Holland & Knight, LLP, United States.

The Respondent is Reynold Mullen, Building Beyond LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <lifepointcares.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 January 31, 2025. On February 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 3, 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 (Registration Private, Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 4, 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 amended Complaint on February 7, 2025.

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 February 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 3, 2025. On March 3, 2025, following the Center's Notification of Respondent Default, the Center received an email communication from a third party requesting an extension of time. The Center replied that the Respondent had been duly notified using the registration contact details. The third party did not communicate further.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on March 4, 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 a healthcare services company established as a corporation under the law of Delaware, United States, headquartered in Brentwood, Tennessee, United States. Since 1999, the Complainant has provided hospital management and services under the LIFEPOINT, LIFEPOINT HOSPITALS, and LIFEPOINT HEALTH marks (the “LIFEPOINT marks”), now operating 60 community hospitals in 31 states of the United States, more than 60 rehabilitation and behavioral health hospitals, and over 250 additional service sites. These include sites in North Carolina, where the Respondent is located, and in Texas and near Washington, DC, where the Respondent purported to offer behavioral health services.

The Complainant operates a website at “www.lifepointhealth.net” (the Complainant’s website”), with linked social media sites. The Complainant originally operated its website at “www.lifepointhospitals.com”, registered in 1999, which now redirects to the Complainant’s website using the domain name <lifepointhealth.net>, which the Complainant registered and began using in 2015.

The Complainant holds relevant United States trademark registrations, including the following:

Mark	Registration Number	Registration Date	Goods or Services
LIFEPOINT HOSPITALS (word)	2472025	July 24, 2001	International Class 42
LIFEPOINT (word)	3760856	March 16, 2010	International Class 44
LIFEPOINT HEALTH (word)	4924289	March 22, 2016	International Class 44

The disputed domain name was created on June 11, 2024, and is registered to the Respondent Reynold Mullen, Building Beyond LLC, listing a postal address in the State of North Carolina, United States and a contact email address in the domain name <tdrlegal.com>, which is not associated with an active website. The Panel notes that the online database of the North Carolina Secretary of State lists “Building Beyond LLC” as a limited liability company formed in North Carolina in 2007, with a mailing address in the same city shown in the disputed domain name registration. Its business is described as “Construction, General Contracting”, and its status is listed as “Active – Not Current”, as the company appears not to have filed an annual report since 2022.

The Panel notes that a 2018 filing with the State on behalf of Building Beyond LLC was signed by Tiffany Russell as “General Counsel”.¹ Tiffany D. Russell, JD., Territory Manager/Senior Compliance Officer is the name of the person who sent an email to the Center on March 3, 2025, from another email address using the <tdrlegal.com> domain name, requesting on behalf of Reynold Mullen an extension to file the Response on the grounds that “Mr. Mullen is unavailable” and no longer has access to the <tdrlegal.com> email address given in the registration details for the disputed domain name. The precise relationship of Reynold Mullen (or “Mullen”) to Building Beyond LLC is not apparent on this record, and his name does not appear in the company filings with the State. The Panel refers hereafter to Reynold Mullen and Building Beyond LLC collectively as the “Respondent”.

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.8.

The disputed domain name does not resolve to an active website at the time of this Decision. However, screenshots attached to the Complaint show that the disputed domain name formerly resolved to a website (the “Respondent’s former website”) headed “Lifepoint Cares” with pages soliciting personal details to “Schedule a Consultation” for mental health, substance abuse, child and adolescent care. The Complainant claims the Respondent’s former website displayed postal addresses for Life Point Healthcare Services of DC in Washington, DC, and Life Point Healthcare Services of Texas in Austin, Texas. The Complainant observes that these addresses comport with those of registered corporate agent services and not healthcare facilities. The Complainant found no records of any “Life Point HealthCare Services” medical or mental health facilities operating in the District of Columbia or Texas.

The Panel notes that “Life Point Healthcare Services of Texas LLC” is listed in the online database operated by the Texas Comptroller of Public Accounts as a Texas limited liability company registered on June 11, 2024. The online database of the District of Columbia Department of Licensing and Consumer Protection lists no entity licensed to do business in the District of Columbia corresponding to the company named on the Respondent’s former website.

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 registered LIFEPOINT marks, which the Respondent has no permission to use. The Complainant asserts that its marks are well established for over 25 years and that the Respondent should be deemed to have constructive notice of them. The Complainant argues that there is no evidence that the Respondent is commonly known by a corresponding name or actually making a legitimate noncommercial or fair use of the disputed domain name. Instead, the Complainant contends, the Respondent has only registered and used the disputed domain name in bad faith:

“Respondent knowingly chose a domain name incorporating the Lifepoint Marks, in its entirety, with a single descriptive term. It did so decades after Complainant first began using the Lifepoint Marks, and then proceeded to induce visitors to submit their personal information—including whether they are seeking mental health, substance abuse or child and adolescent care, which is highly sensitive information—under a mark and domain name essentially identical to the Lifepoint Marks, with no evidence that the sought-after healthcare services would or even could be provided.”

The Complainant argues as well that the Respondent is intentionally attempting to attract Internet users for commercial gain by using a disputed domain name confusingly similar to the Complainant’s marks.

B. Respondent

The Respondent did not reply to the Complainant’s contentions. The Panel notes that Tiffany Russell requested an extension of time on behalf of the Respondent to file a Response, immediately after the Center sent notice of default using the contact details of record for the Respondent, which registered the disputed domain name less than a year ago. In that communication, Tiffany Russell did not clarify her relationship to the Respondent or disclose that she has represented the Respondent Building Beyond LLC as its “General Counsel” in the past. Her email stated without further explanation that the Respondent Reynold Mullen was “unavailable” and “I have mailed this information, but he has not received it as of to date. He is not aware that these proceedings have been initiated it against him”. No further communication from the Respondent was received. In this regard, the Panel notes that the Center successfully sent the Notification of the Complaint to the email address disclosed for the Respondent by the Registrar without any apparent delivery failure and also attempted to notify the Respondent via all available methods available to the Center, as

provided in the Rules. Thus, the Center has discharged its obligation to notify the Respondent of this dispute. This untimely and insufficient request for an extension does not warrant further delay in the proceedings.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (here, the registered word marks LIFEPOINT, LIFEPOINT HEALTH, and LIFEPOINT HOSPITALS) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the LIFEPOINT mark and the LIFEPOINT element of the LIFEPOINT HEALTH and LIFEPOINT HOSPITALS marks are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to these marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "cares") may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name 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 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 Panel notes that the Respondent appears to have registered a limited liability company with a corresponding name in Texas on the same day that the Respondent registered the disputed domain name, but there is no evidence in the record that the Respondent has actually operated healthcare facilities in Texas or the District of Columbia providing the services advertised on the Respondent's former website. The Complainant shows that the addresses listed on the Respondent's former website are those of registered corporate services agents, not behavioral health facilities. Thus, there is insufficient evidence to support a hypothetical claim that the Respondent is using the disputed domain name in connection with a

bona fide offering of goods or services (Policy, paragraph 4(c)(i)) or is commonly known by a corresponding name (Policy, paragraph 4(c)(ii)).

Panels also have held that the use of a domain name for illegitimate or illegal activity (here, claimed phishing for sensitive personal health information) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

While the Panel considers the principle of constructive notice urged by the Complainant may not on its own establish bad faith for Policy purposes, the Panel in any event finds that the Respondent more likely than not had actual notice of the Complainant's well known LIFEPOINT marks and intended to target them. The LIFEPOINT brand is a coined mark, established over a quarter of a century before the Respondent registered the disputed domain name, and the Respondent used it in the disputed domain name to advertise precisely the kinds of behavioral health services for which the Complainant is known. The Complainant has facilities and advertises its mark in North Carolina where the Respondent is located and in Texas and the Washington, DC area where the Respondent ostensibly offered similar services. Thus, the Panel finds that the Respondent's conduct accords with the example of bad faith described in the Policy, paragraph 4(b)(iv), attempting to attract Internet users for commercial gain with a disputed domain name that is confusingly similar to the Complainant's marks. The addition of the word "cares" in the disputed domain name tends only to increase the likelihood of confusion, as the Complainant offers healthcare services.

Panels have also held that the use of a domain name for illegitimate or illegal activity (here, claimed phishing for sensitive personal health information) constitutes bad faith for Policy purposes. [WIPO Overview 3.0](#), 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 <lifepointcares.com> be transferred to the Complainant.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: March 18, 2025