

ADMINISTRATIVE PANEL DECISION

ITV Studios Limited v. jar foof
Case No. D2025-1681

1. The Parties

The Complainant is ITV Studios Limited, United Kingdom, represented by DLA Piper UK LLP, United Kingdom.

The Respondent is jar foof, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <liftedentertainments.com> is registered with 123-Reg Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 25, 2025. On April 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 25, 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 April 29, 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 May 6, 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 May 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 29, 2025.

On May 12, 2025, the Center received email communication from a third party claiming to have received the Written Notice sent by the Center, to the Registrant’s address as provided by the Registrar.

Pursuant to paragraph 6 of the Rules, on May 31, 2025, the Center informed the Parties that it would proceed with the panel appointment process.

The Center appointed Gareth Dickson as the sole panelist in this matter on June 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 a company registered in England and Wales. It is the parent company of ITV Plc's ITV Studios division and is part of one of Europe's largest multinational television broadcasting, production and distribution groups. The Complainant is based in the United Kingdom and operates across 13 countries through 60 production labels.

The Complaint is based on the registered trade mark LIFTED ENTERTAINMENT (the "Mark"). The Complainant has registered the Mark in the United Kingdom with no. UK00003527192, registered on February 19, 2021, in connection with entertainment and television production services.

The Complainant has used the Mark since 2021 and it produces television programs such as "Love Island", "The Voice", "Dancing on Ice", "Saturday Night Takeaway", and "I'm A Celebrity... Get Me Out of Here!". The Complainant operates a website at "www.liftedentertainment.com" and has also registered the domain names <liftedentertainment.co.uk> and <liftedentertainment.tv>, both of which redirect to its main domain name. The Complainant actively promotes its brand on social media platforms including Twitter, Facebook, YouTube, and LinkedIn.

The disputed domain name was registered on March 4, 2025, and resolved to a website that appears to have framed (that is, to have wholly incorporated within a new webpage) the Complainant's own website. It also appears to have been used for email services.

There is no known relationship between the Complainant and the Respondent, and the Complainant has not authorized the Respondent to use the Mark or register the disputed domain name.

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 the Mark, and that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states it has not authorized the Respondent to use its trade mark and that there is no relationship between the parties. The Complainant further asserts that the Respondent has used the disputed domain name to host a website that copies content from the Complainant's own website and includes unauthorised use of the Mark, as well as to impersonate one of its executives in an apparent attempt to fraudulently gain access to the Complainant's internal systems.

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Furthermore, the entirety of the Mark is reproduced 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.

Although the addition of other letters, here a single "s", may bear on assessment of the second and third elements, the Panel finds the addition of such letter 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 recognised 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.

Panels have also held that the use of a domain name for illegitimate activity, here the Respondent's demonstrated attempt to impersonate a senior member of the Complainant for the purposes of advancing a fraud as described further in section 6.C below, 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Bad faith has been established here. Panels have held that the use of a domain name for illegitimate activity, including impersonation, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. In the present case, the Respondent has used the disputed domain name to impersonate the Complainant's Managing Director, while framing the Complainant's official website within the website to which the disputed domain name resolves, all in an apparent attempt to fraudulently access internal company resources. Such conduct is a paradigm example of bad faith under paragraph 4(b)(iv) of the Policy. The Panel also notes that a third party claiming to reside at the contact address given by the Respondent wrote to the Center to inform it that the Respondent was not in fact known at that address. The use of false contact information can be, and in this case the Panels finds that it is, a further indication of bad faith under the Policy: [WIPO Overview 3.0](#), section 3.2.1.

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 <liftedentertainments.com> be transferred to the Complainant.

/Gareth Dickson/

Gareth Dickson

Sole Panelist

Date: July 9, 2025