

## **ADMINISTRATIVE PANEL DECISION**

Loop B.V. v. Sebastian Pacocha, Icie Lindgren, and Rosie Feil  
Case No. D2025-2183

### **1. The Parties**

The Complainant is Loop B.V., Belgium, represented by Novagraaf Belgium NV/SA, Belgium.

The Respondents are Sebastian Pacocha, United States of America ("United States"), Icie Lindgren, United States, and Rosie Feil, United States.

### **2. The Domain Names and Registrar**

The disputed domain names <loopearplugsale.com>, <loop-earplugshop.com>, and <loopearplugstore.com> are registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 4, 2025. On June 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 5, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Anonymous / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 5, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on June 10, 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 Respondents of the Complaint, and the proceedings commenced on June 16, 2025. In accordance with the Rules, paragraph 5,

the due date for Response was July 6, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on July 8, 2025.

On July 8, 2025, the Complainant submitted a request for the addition of the domain name <loopearplugshop.com> to the current proceedings.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on July 15, 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 Belgian life sciences technology company founded in 2016, specializing in earplugs, earwear, and hearing technology. It is particularly known for its high-performance earplugs, having sold over 8 million units worldwide. The Complainant distributes its products in more than 150 countries and reported net sales of approximately EUR 200 million in 2024. The Complainant has received international recognition, including being named to Fast Company's list of the World's Most Innovative Companies in 2024.

The Complainant is the owner of the trademark LOOP, registered and protected in different jurisdictions around the world, in particular:

- European Union Trademark Registration No. 015088693 for LOOP, registered on May 24, 2016, in Classes 9 and 10; and
- International Trademark Registration No. 1626467 for LOOP, registered on October 4, 2021 designating several jurisdictions, including the United States.

The Complainant also operates the domain name <loopearplugs.com>, registered since 2015, which serves as its official website.

The disputed domain names are: <loopearplugsale.com>, registered on February 20, 2025, <loop-earplugshop.com>, registered on March 11, 2025, and <loopearplugstore.com>, registered on April 1, 2025.

At the time of filing of the Complaint, the disputed domain names resolved to websites displaying the Complainant's trademarks and offering same or similar products to those of the Complainant. At the time of issuing this Decision, the disputed domain names are not active.

#### **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 names.

Notably, the Complainant contends that:

- (1) The disputed domain names are confusingly similar to the Complainant's LOOP trademark. The addition of the descriptive term "earplugs", which designates the Complainant's flagship products, as well as "store", "sale", and "shop", which are generic commercial terms, does not prevent a finding of confusing similarity with the Complainant's LOOP trademark, which remains clearly recognizable. The generic Top-Level Domains ("gTLDs") ".com" may also be disregarded for purposes of assessing confusing similarity, as they are viewed as standard registration requirements.

(2) The Respondents have no rights or legitimate interests in the disputed domain names. The Respondents are neither affiliated with nor have been licensed or permitted to use the LOOP trademark or any domain names incorporating the LOOP trademark. Besides, the Respondents are not commonly known by the disputed domain names. The Respondents are not using the disputed domain names in connection with a bona fide offering of goods or services. The Respondents intentionally registered the disputed domain names with the intent to impersonate the Complainant and exploit the goodwill and reputation associated with the Complainant's mark. The disputed domain names resolved to websites that falsely purported to be official sites of the Complainant. These websites prominently displayed the Complainant's trademarks and logos, reproduced its contact information, and purported to offer the Complainant's products for sale. The websites displayed no disclaimers clarifying the lack of affiliation with the Complainant. Therefore, the Respondents are not making a legitimate noncommercial or fair use of the disputed domain names.

(3) The Respondents registered and are using the disputed domain names in bad faith. The Respondents registered the disputed domain names having the Complainant and its trademarks in mind. The Respondents have intentionally attempted to attract Internet users to their websites, for commercial gain, by creating a likelihood of confusion with the Complainant's trademarks regarding the source, sponsorship, affiliation, or endorsement of its websites or the products offered on them.

The Complainant requests transfer of the disputed domain names.

## **B. Respondents**

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

## **6. Discussion and Findings**

### **6.1. Consolidation: Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names:

- (a) were registered within a close timeframe (February 20, March 11, and April 1, 2025) with the same Registrar;
- (b) follow a similar naming structure incorporating the Complainant's "LOOP" trademark with generic/descriptive terms ("sale," "store," "shop," "earplug");
- (c) resolve to websites displaying the Complainant's trademark and purportedly offering for sale the Complainant's products; and

(d) at least some of the Registrar-confirmed Respondents appear to have engaged in a pattern of abusive registrations, see *eleven teamsports GmbH v. fgadrtr, twrtt, Icie Lindgren, Rosie Feil*, WIPO Case No. [D2025-1020](#).

The Center has discharged its duties to notify the persons listed as registrants of the disputed domain names of the present Complaint. The Respondents have not submitted a Response or objected to the consolidation request of the Complainant or to its arguments in support of the request.

As regards to fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

On July 8, 2025, more than one month after the Complaint had been filed, and also after the Response due date, the Complainant submitted a request to add the domain name <loopearplugeshop.com> to the current proceedings.

It is up to the Panel to determine whether or not to accept the Complainant’s request to add the domain name to the Complaint after the Respondent had been notified of the Complaint and the proceedings had formally commenced. See [WIPO Overview 3.0](#), section 4.12.2.

After carefully examining the Complainant’s request, the Panel rejects the Complainant’s request for the following reasons:

- (1) Timing: The request was made well after the Complaint had been formally notified and after the due date for the Response. Accepting the addition at this stage would unduly delay the proceedings, which are designed to be expedited.
- (2) Domain name registration date: The domain name <loopearplugeshop.com> was registered on April 16, 2025, i.e., prior to the filing of the original Complaint. There is no indication of the Respondent behavior intended to frustrate the current proceedings.
- (3) Registrar: The newly requested domain name is registered with a different registrar than the three disputed domain names. This fact may raise procedural complications and is a further reason to address it separately.
- (4) Separate complaint still possible: The Complainant retains the right to file a separate complaint concerning the new domain name.
- (5) [WIPO Overview 3.0](#), section 4.12.2 makes it clear that: “Except in limited cases where there is clear evidence of respondent gaming/attempts to frustrate the proceedings (e.g., by the respondent’s registration of additional domain names subsequent to complaint notification), panels are generally reluctant to accept such requests because the addition of further domain names would delay the proceedings (which are expected to take place with due expedition)”.

In view of the above, the Panel declines the request to add the additional domain name <loopearplugeshop.com> into the current UDRP proceedings.

## **6.2. Substantive Issues**

Paragraph 15(a) of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on the Complainant to make out its case and it is apparent, both from the terms of the Policy and the decisions of past UDRP panels, that the Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer the disputed domain name. In UDRP cases, the standard of proof is the balance of probabilities.

To succeed in a UDRP complaint, the Complainant has to demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, namely:

- (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 and is being used in bad faith.

The Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the Complaint, the Panel's decision shall be based upon the Complaint.

However, even if the Respondent has not replied to the Complainant's contentions, the Complainant still bears the burden of proving that all these requirements are fulfilled. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See, section 4.3 of the [WIPO Overview 3.0](#).

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistent with the consensus views captured therein.

#### **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.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of its LOOP mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain names all incorporate the Complainant's LOOP mark in its entirety. The only differences lie in the addition of the terms "earplug", "sale", "shop", and "store" and a hyphen. The Panel finds that such additions do not prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), section 1.8.

The Panel further notes that the gTLD ".com" is a standard technical requirement and is disregarded for the purposes of this comparison. See [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant's LOOP mark, and that the requirement under paragraph 4(a)(i) of the Policy is satisfied.

#### **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.

The Complainant has submitted evidence of trademark rights in the mark LOOP, and asserts that it has not authorized, licensed, or otherwise permitted the Respondent to use its mark in the disputed domain names or in any other manner. There is no evidence before the Panel that the Respondent has been commonly known by any of the disputed domain names, nor is there any indication that the Respondent holds trademark rights in LOOP or the terms corresponding to the disputed domain names.

The Complainant has conducted a trademark search and confirms that the Respondent does not appear to own any registered rights in LOOP or related expressions. Furthermore, the composition of the disputed domain names, which include terms related to the Complainant's business and products, coupled with their use to purportedly offer for sale the Complainant's products without any disclaimer as to the lack of relationship with the Complainant, signal the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain names and the Complainant as to the origin or affiliation of the websites at the dispute domain names.

The Panel finds no evidence on record to support any claim that the Respondent is using the disputed domain names in connection with a bona fide offering of goods or services or making a legitimate noncommercial or fair use of them.

The Respondent has failed to respond and has not come forward with any evidence to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names, and that the requirement under paragraph 4(a)(ii) of the Policy is satisfied.

### **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.

The Complainant has demonstrated that it holds valid trademark rights in the LOOP mark, which predate the registration of the disputed domain names. The Panel notes that the Complainant's trademarks have been in continuous use since at least 2016 and are used in connection with widely distributed and commercially successful hearing-related products, most notably earplugs. The Complainant also operates the official domain name <loopearplugs.com>, registered since 2015.

The Panel finds that the composition of the disputed domain names, each incorporating the Complainant's LOOP trademark in its entirety, combined with the term "earplugs", descriptive of the Complainant's product, and the terms "shop", "store" or "sale", strongly suggests that the Respondent was aware of the Complainant and its trademark at the time of registration. It is therefore not plausible that the Respondent selected the disputed domain names independently or coincidentally. See [WIPO Overview 3.0](#), section 3.2.2.

The Panel further notes that the disputed domain names resolved to websites that used the Complainant's trademark and purportedly offered the Complainant's products. Noting in particular the lack of disclaimer, this use supports the inference that the Respondent intentionally sought to create an association with the Complainant's brand and to attract Internet users on the basis of that association.

Moreover, the Respondents Icie Lindgren and Rosie Feil appear as respondents in a prior UDRP proceeding (see *eleven teamsports GmbH v. fgadrtetr, twrtt, Icie Lindgren, Rosie Feil*, WIPO Case No. [D2025-1020](#)), which may support a finding of a pattern of abusive registrations.

In the circumstances, and in the absence of any rebuttal from the Respondent, the Panel finds that the Respondent has intentionally attempted to attract Internet users to its websites for commercial gain by creating a likelihood of confusion with the Complainant's LOOP trademark as to the source, sponsorship, affiliation, or endorsement of the websites or the products offered thereon. Such conduct constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy. See [WIPO Overview 3.0](#), section 3.1.4. the current passive holding of the disputed domain names does not prevent a finding of bad faith.

Accordingly, the Panel finds that the disputed domain names have been registered and are being used in bad faith, and that the requirements of paragraph 4(a)(iii) of the Policy are satisfied.

## 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 <loopearplugsale.com>, <loop-earplugshop.com>, and <loopearplugstore.com> be transferred to the Complainant.

*/Ganna Prokhorova/*

**Ganna Prokhorova**

Sole Panelist

Date: July 23, 2025