

ADMINISTRATIVE PANEL DECISION

Scholastic Inc. v. VV Brands

Case No. D2025-2391

1. The Parties

Complainant is Scholastic Inc., United States of America ("United States"), represented by Frankfurt Kurnit Klein & Selz PC, United States.

Respondent is VV Brands, United States.

2. The Domain Name and Registrar

The disputed domain name <scholastic-publisher.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 18, 2025. On June 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 18, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on June 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on June 24, 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 Respondent of the Complaint, and the proceedings commenced on June 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 17, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on July 18, 2025.

The Center appointed Georges Nahitchevansky as the sole panelist in this matter on July 23, 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

Complainant, Scholastic Inc., is a publisher and distributor of children's books, including e-books and audiobooks, as well as a provider of literacy curricula and classroom magazines and related services. Complainant owns and uses the mark SCHOLASTIC in connection with and its goods and services and owns a number of registrations for the SCHOLASTIC mark in the United States. These include, inter alia, several word mark registrations for SCHOLASTIC (Reg. Nos. 2,711,978, 2,437,177, 1,677,988, 1,741,883, 1,677,924, and 1,344,129) the earliest of which issued to registration on June 25, 1985. Complainant also owns and uses the domain name <scholastic.com> for a website concerning Complainant and its products and services.

Respondent appears to be based in the United States. Respondent registered the disputed domain name on April 7, 2025, and at some point thereafter started to use the disputed domain name for a website with the name "Scholastic Publisher" providing self-publishing services. The disputed domain name continues to resolve to that website.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it has strong rights in the SCHOLASTIC mark by virtue of its longstanding use and promotion of the SCHOLASTIC mark with its goods and services and its several trademark registrations for that mark. Complainant asserts that the disputed domain name is confusingly similar as it fully incorporates the SCHOLASTIC mark in its entirety and merely adds the descriptive word "publisher" at the tail of the disputed domain name. Lastly, Complainant argues that Respondent does not have a legitimate interest in the disputed domain name and is acting in bad faith as Respondent is not commonly known by the disputed domain name, has no rights in the SCHOLASTIC mark and is using the disputed domain name to attract and redirect consumers to a website that apes Complainant's website at the domain name <scholastic.com> to promote publishing services, the very services that Complainant is known for.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)) at section 1.7. Complainant has provided evidence that it owns trademark registrations for the SCHOLASTIC mark and that such issued to registration well before Respondent registered the disputed domain name.

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 Complainant’s trademark and the disputed domain name.

Here, the disputed domain incorporates the SCHOLASTIC mark at the head of the disputed domain name. Although the addition of the descriptive word “publisher” at the tail of the disputed domain name may bear on the assessment of the second and third elements, the Panel finds the addition of such descriptive word does not prevent a finding of confusing similarity between the disputed domain name and the SCHOLASTIC mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel thus finds that 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 a 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 that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Here, the disputed domain name is based on Complainant’s SCHOLASTIC mark and includes the word “publisher” which conjures up the very products and services provided by Complainant. While Respondent’s website appears to be for a self-publishing service, the evidence before the Panel, not of which is rebutted by Respondent who has failed to appear in this proceeding, shows that Respondent has clearly targeted Complainant’s SCHOLASTIC mark to promote its services. The website uses many elements that are reminiscent of Complainant’s website, such as a similar red banner at the top of the home page and pictures of children’s books, that in their totality are likely to be seen by consumers as suggesting some connection to Complainant or perhaps a new service by Complainant. This is particularly likely given that Respondent, whose name is VV Brands is not commonly known by the name and mark SCHOLASTIC and has no apparent rights in the SCHOLASTIC name and mark in connection to publishing services. To be sure, the disputed domain name effectively impersonates Complainant and thus, on its face with the word “publisher”, carries a risk of implied affiliation. As such, it is hard to see how Respondent could have any rights or legitimate interests in the disputed domain name. [WIPO Overview 3.0](#) at section 2.5.1.

Based on the foregoing, 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 view of Respondent's actions, and failure to appear in this proceeding, it is easy to infer that Respondent's registration and use of the disputed domain name that essentially copies Complainant's SCHOLASTIC mark for a website purporting to offer self-publishing services has been done in bad faith and opportunistically for the benefit or profit of Respondent. The disputed domain name essentially impersonates Complainant and was registered well after Complainant had established rights in its SCHOLASTIC mark. Indeed, as noted above, Respondent's website features many elements that may be seen as suggesting that Respondent's website is connected to Complainant. In all, Respondent's actions, including the registration of the disputed domain name based on the SCHOLASTIC mark, makes it clear that Respondent was fully aware of Complainant and its SCHOLASTIC mark and specifically chose the disputed domain name to attract consumers to Respondent's website in order to promote self-publishing services for the benefit of Respondent.

The Panel finds that 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 <scholastic-publisher.com> be transferred to Complainant.

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: August 6, 2025