

## **ADMINISTRATIVE PANEL DECISION**

OKA Direct Limited v. Lynn Maria  
Case No. D2025-2579

### **1. The Parties**

The Complainant is OKA Direct Limited, United Kingdom, represented by Gateley Legal, United Kingdom.

The Respondent is Lynn Maria, United States of America.

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

The disputed domain name <okafurniture.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2025. On July 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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 (OKA Store) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 11, 2025, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 14, 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 July 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 4, 2025.

The Center appointed Zoltán Takács as the sole panelist in this matter on August 22, 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 in this administrative proceeding is British furniture and home accessories retailer founded in 1999, employing over 200 people and with revenue of over GBP 55,000,000 in the year to June 29, 2024.

The Complainant is among others owner of the United Kingdom Trademark Registration OKA, such as No. UK00002338998 OKA (word mark), registered since June 16, 2006, for the most part in relation to furniture and related items and services.

The Complainant also owns the domain name <oka.com> and operates its e-commerce business at the “www.oka.com” web portal.

The disputed domain name was registered on April 5, 2025 and has been resolving to a website purportedly using the copyright-protected images from the Complainant and offering for sale the Complainant’s furniture and related products at discounted prices.

The “About Us” page of the website among others contains the following description: “www.okafurniture.com is a leading player in online fashion for fashion and beauty-conscious girls between the ages of 15 and 25 years old. Nelly inspires daily with the new fashion from hundreds of different brands. Here you’ll find clothing, shoes, underwear, swimwear, beauty products, accessories, and sportswear from every occasion”.

#### **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 trademark, since it is composed of the OKA trademark followed by the term “furniture”, which describes a significant proportion of the products sold by the Complainant;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;
- the Respondent would have been aware of the Complainant since it chose to register a domain name comprising of its OKA trademark followed by the term that describes the majority of items sold by the Complainant;
- the Respondent is using on the website at the disputed domain name copyright-protected imagery of the Complainant without its consent; and
- the Respondent does not describe itself on the website at the disputed domain name as a furniture retailer but instead as a fashion and beauty business in a content that appears to have been copied and pasted from another website.

The Complainant requests that the disputed domain name be transferred from the Respondent to the Complainant.

##### **B. Respondent**

The Respondent did not reply to the Complainant’s contentions.

## 6. Discussion and Findings

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the 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 domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

### 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.

The disputed domain name is composed of the Complainant's OKA trademark with the addition of the term "furniture", which is not just descriptive per se but actually describes the majority of the products sold by the Complainant. In view of the Panel the addition of the term "furniture" to the mark in the disputed domain name does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy.

Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

The Panel 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 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.

According to the documentary evidence submitted by the Complainant the Respondent has been using the disputed domain name to deceive Internet users likely looking for the Complainant through directing them to a website purportedly offering for sale the Complainant's products.

There is no indication of any relationship of the Respondent with the Complainant as to the source of the products at issue and the website at the disputed domain name which implied that the products offered for sale on the Respondent's website originated with the Complainant.

The Panel notes that there is no evidence as to whether the goods offered on the Respondent's website at the disputed domain name were counterfeit or "genuine", or whether any of those goods ultimately existed.

The Panel also notes that it is evident that the Complainant has not authorized, licensed, or allowed the Respondent or any third party to use its trademark in the disputed domain name or in any other way that would confer validity or legitimacy upon such usage. Consequently, even if the products that appeared on the Respondent's website under the disputed domain name would have existed and were genuine, the Respondent's website would still not qualify as fair use. [WIPO Overview 3.0](#), sections 2.13.2 and 2.8.1; *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

In addition, as discussed in section C. below the disputed domain name has been used for a website which appears bogus, including content duplicative from other, entirely unrelated websites. The foregoing does not constitute a bona fide offering of goods and services.

The Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name and that 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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

In the present case, the Panel notes the following:

- the disputed domain name includes the Complainant's trademark followed by the term (here, "furniture") which describes the majority of products sold by the Complainant;
- the website at the disputed domain name features copyright-protected photos of the Complainant's products;
- the website at the disputed domain name includes content duplicative from other, entirely unrelated websites and on the balance of probabilities appears to be a sham.

Based on the above facts and circumstances in view of the Panel it is reasonable to conclude that the Respondent knew about the Complainant when registered the disputed domain name as well as that the Respondent has created the website at the disputed domain name to unfairly trade on the goodwill of the Complainant's mark and confuse Internet users for likely fraudulent purposes. Paragraph 4(b)(iv) of the Policy; [WIPO Overview 3.0](#), section 3.4.

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 <okafurniture.com> be transferred to the Complainant.

*/Zoltán Takács/*

**Zoltán Takács**

Sole Panelist

Date: September 4, 2025