

ADMINISTRATIVE PANEL DECISION

Harpo, Inc. v. Karl Fru
Case No. D2025-2812

1. The Parties

Complainant is Harpo, Inc., United States of America (“United States”), represented by Saul Ewing LLP, United States.

Respondent is Karl Fru, United States.

2. The Domain Name and Registrar

The disputed domain name <theoprahpodcast.com> (the “Domain Name”) is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 17, 2025. On July 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 18, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Unknown Registrant / Domain Admin, Privacy Protect, LLC (PrivacyProtect.org) and contact information in the Complaint. The Center sent an email to Complainant on July 18, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on July 23, 2025.

The Center verified that the Complaint together with the amendment to the 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 July 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2025. The Response was filed with the Center on August 19, 2025. The Center notified the Parties of the Commencement of Panel Appointment on August 19, 2025.

The Center appointed Robert A. Badgley as the sole panelist in this matter on August 29, 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 alleges:

“Complainant is a business entity founded by the world famous media personality and entrepreneur Ms. Oprah Winfrey. Complainant, Harpo, Inc., was formed in 1986 and owns, inter alia, the rights to many trademarks incorporating Ms. Winfrey’s famous name.”

Complainant owns numerous trademark registrations for OPRAH or marks including OPRAH, such as United States Patent and Trademark Office (“USPTO”) Reg. No. 1,726,373 for the word mark OPRAH, registered on October 20, 1992 in connection with “entertainment services rendered through the medium of television in the nature of a variety talk show series,” and USPTO Reg. No. 2,521,889 for the word mark OPRAH, registered on December 25, 2001 in connection with, among other things, “computer services, namely, information via a web site...”

There is little doubt that OPRAH is a famous mark, and Oprah Winfrey is one of the most famous United States celebrities over the past 40 years. Indeed, Respondent concedes that “the name “Oprah” happens to be globally famous.”

Complainant owns many domain names, including <oprah.com>, which domain name is used to host Complainant’s commercial website.

Complainant alleges:

“Complainant’s first use of THE OPRAH PODCAST mark and the launch of THE OPRAH PODCAST was at least as early as December 3, 2024. [...] A mere twenty-four hours after the official launch, Respondent moved swiftly on December 4, 2024, to register the disputed domain name.”

Respondent alleges:

“I am writing to share the heartfelt story behind my registration of ‘theOprahpodcast.com.’ My name is Karl Fru, and I am the Founder, Chief Operations Officer, and Board Chairman of the Mental Help Foundation (EIN: [redacted]), a 501(c)3 nonprofit operating in the USA, South Africa, Nigeria, Kenya, and Cameroon. I hope that by outlining the origins and purpose of ‘The Oprah Podcast’ in Cameroon’, you will understand that this domain was acquired in good faith for a deeply meaningful cause – not for any commercial gain or to trade on a famous name. Our Mission: Giving a Voice to the Silenced At the Mental Help Foundation, our mission is to break the taboo surrounding mental health in Africa. [...]”

“Our foundation identifies inspiring people who have overcome mental health challenges and helps them create personal media platforms – such as blogs or podcasts – to amplify their voices. We provide training, resources, and even website infrastructure so that these brave individuals can reach their communities (and beyond) with their message of hope and resilience. Each person’s platform is typically named after them (for example, we envisioned ‘The [Name] Podcast’ for podcast hosts), to center their personal journey and make it easier for the public to connect with their story.”

“Introducing [V. ‘Oprah’ N.] – A Story of Resilience One of the individuals we identified through HelpMe2 is a young woman from the North-West Region of Cameroon named [V. Oprah N.]. Oprah (as she prefers to be called) endured extraordinary challenges at a very young age. As a teenager, she became pregnant at 19 and felt intense societal and family pressure. In a desperate attempt to avoid shame, she was forced into

marrying an older man – a man who turned out to be abusive and cruel. For a time, survival meant enduring daily trauma in an environment where she had no voice and no way out. Yet Oprah's story did not end there. With courage and the help of caring people around her, she escaped the abusive marriage and began to rebuild her life.”

[...]

“In late 2024, something happened that we had not anticipated: Oprah Winfrey launched her own new podcast series titled ‘The Oprah Podcast.’ This series debuted as a weekly show on her YouTube channel on December 3, 2024. We were excited to hear of Ms. Winfrey’s new venture – after all, she continues to break ground in raising awareness on important issues (her podcast focuses on conversations with authors, newsmakers, and culture changemakers). However, for our team in Cameroon, this news also rang an alarm bell. We realized that the title of Oprah Winfrey’s new show was exactly the same as the name of our grassroots radio program in Cameroon. By that time (December 2024), The Oprah Podcast with Oprah N. had already been running for about almost a year on NDEFCAM Radio. When one of my colleagues alerted me to the Oprah Winfrey podcast announcement, I knew we had to act fast to avoid confusion and protect our budding initiative. Up until that point, our focus had been entirely on local radio and word-of-mouth promotion; we had not yet set up any dedicated website or global online presence for Oprah N. show. But we always had the intention to eventually bring it online (under our HelpMe2 website or its own site) once it grew. Now, with a high-profile podcast of the same name entering the digital space, we worried that if we didn’t secure an official domain for The Oprah Podcast (Cameroon) immediately, we might lose the opportunity to distinguish our project, or worse, people might misconstrue our intent later on.”

“Therefore, on December 4, 2024, the very next day, I went ahead and registered theoprahpodcast.com. This domain [name] was exactly what we had envisioned for Oprah N. platform from the start – it matched the name of her show. Our sole purpose in buying it was to ensure that Oprah N. voice could eventually reach the [I]nternet on a platform clearly identified as hers.”

Respondent asserts:

“Since acquiring theoprahpodcast.com, we have never used the domain publicly. If you type it in, it doesn’t yet lead to an active website. We have not published any content there, nor attempted to monetize it in any way.”

The Domain Name was registered on December 4, 2024. According to screenshots annexed to the Complaint, as of July 15, 2025 (two days before the Complaint in this proceeding was filed), the Domain Name resolved to a website that featured photos of Oprah Winfrey and her podcast guests, and featured content related to Oprah Winfrey’s podcasts.

Respondent provided no documentary evidence to corroborate its allegations.

5. Parties’ Contentions

A. Complainant

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

B. Respondent

The crux of Respondent’s position is set forth above. The Panel notes that the Response was filed on August 19, 2025, whereas the due date for Response was August 17, 2025. In its discretion, the Panel has considered the Response despite its tardiness.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) 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 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 Panel finds that Complainant has rights in the trademark OPRAH through extensive and longstanding registration and use demonstrated in the record. The Panel also finds that the Domain Name is confusingly similar to that mark. The Domain Name incorporates the OPRAH mark in its entirety and adds the definite article "the" and the word "podcast." The OPRAH mark remains clearly recognizable within the Domain Name, despite these differences.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes that Respondent lacks rights or legitimate interests in respect of the Domain Name. Respondent presents a sympathetic, purportedly innocuous but completely uncorroborated account of how it came to register the Domain Name, all while recognizing that the mark OPRAH is famous and is associated with one of the most famous celebrities in with United States.

In the Panel's view, the chief problem with Respondent's account is its implausibility. First, Respondent presented no contemporaneous evidence to corroborate its allegedly innocent motivation. Second, the coincidence of Complainant announcing the OPRAH podcast and the registration of the Domain Name is not adequately addressed. Third, and above all, Respondent lost what remained of its credibility when it stated that since registering the Domain Name, "we have never used the domain publicly." Respondent also points out that the Domain Name currently "doesn't lead to an active website." These assertions are belied by Complainant's presentation of screenshots from July 15, 2025 – two days before the Complaint in these proceedings was filed – that show a website featuring images of Oprah Winfrey and her podcast guests. The Panel finds it more likely than not that Respondent took down its website content upon receipt of the Complaint in order to conceal its intentions vis-à-vis the Domain Name.

Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, “in particular but without limitation,” are evidence of the registration and use of the Domain Name in “bad faith”:

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or
- (ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- (iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent’s website or other online location, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of Respondent’s website or location or of a product or service on Respondent’s website or location.

The Panel concludes, on the record provided here, that Respondent has registered and used the Domain Name in bad faith. The Panel incorporates its discussion above in the “Rights or Legitimate Interests” section. On the record presented here, and in the absence of any corroborating evidence from Respondent, the Panel concludes that Respondent registered the Domain Name in order to target Complainant and its famous OPRAH trademark. There are too many coincidences to accept Respondent’s story, especially when it is wholly unsupported by evidence. Further, the Panel finds that Respondent has falsely claimed to have made no public use of the Domain Name. Given this false statement, the Panel also rejects Respondent’s claim that it has not sought to take unfair advantage of Complainant’s mark.

The Panel finds it more likely than not that Respondent registered the Domain Name in order to derive commercial gain by generating consumer confusion between the OPRAH mark and the website associated with the Domain Name, in violation of Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

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 Domain Name <theoprahpodcast.com> be transferred to Complainant.

/Robert A. Badgley/

Robert A. Badgley

Sole Panelist

Date: September 12, 2025