

ADMINISTRATIVE PANEL DECISION

Dale Chihuly, Chihuly, Inc. v. longreecraft Admin, Langrui
Case No. D2025-3187

1. The Parties

The Complainants are Dale Chihuly and Chihuly, Inc., United States of America (“United States”), represented by Foster Garvey PC, United States.

The Respondent is longreecraft Admin, Langrui, China, self-represented.

2. The Domain Name and Registrar

The disputed domain name <chihulychandelier.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was initially filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 9, 2025 in relation to three disputed domain names. On August 11, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 11 and 13, 2025, the Registrars 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 (Contact Privacy Inc. Customer 0157056775, Xiamen Longree Craft Co., Ltd., Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainants on August 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint.

On August 15 and 16, 2025, the registrants of two disputed domain names sent email communications to the Center, upon which the Center sent Possible Settlement email to the Parties. On August 21, 2025, as requested by the Complainant, the current proceedings were suspended for settlement discussion. On September 9, 2025, the Center received the completed settlement form in relation to one of the disputed domain names and issued the Notice of (partial) settlement. On September 23, 2025, the Complainants filed an amended Complaint. On September 26, 2025, after receiving the implementation confirmation for the (partial) settlement and the Complainant’s request to withdraw another one of the disputed domain names, the Center informed the Parties and the Registrars that the proceeding would not proceed further regarding the settled and withdrawn disputed domain names. The proceeding was reinstituted as of September 29, 2025, in relation to the disputed domain name <chihulychandelier.com> upon the Complainant’s request.

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 October 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 23, 2025.

The Center received the ostensibly Respondent’s email communications respectively on August 22, 23, and September 23, 2025. The Center notified the Parties of the commencement of Panel appointment process on October 29, 2025.

The Center appointed Zoltán Takács as the sole panelist in this matter on November 5, 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 Complainants in this administrative proceeding are Dale Chihuly, an individual, and Chihuly, Inc., a Washington, United States corporation.

Dale Chihuly is an internationally renowned American glass artist and entrepreneur who has been using the CHIHULY mark in connection with his artwork and related goods and services for over 60 years.

Chihuly, Inc., doing business as Chihuly Studio is the working studio of Dale Chihuly, owns a license for the use of the CHIHULY mark and has the authority to enforce rights in the CHIHULY mark. Chihuly, Inc. also creates various artworks designed by Dale Chihuly and offers various art related goods and services for sale under the CHIHULY mark in the United States and internationally, including glass artworks such as glass chandeliers.

Dale Chihuly is among others owner of the United States Trademark Registration No. 4052631 for the mark CHIHULY registered on November 8, 2011 in relation to sculptures made primarily of glass, used in commerce since as early as December 31, 1959, as indicated on the trademark registration.

Chihuly, Inc. is among others owner of the Chinese Trademark Registration No. 26882914 for the mark CHIHULY registered on September 21, 2018.

The Complainants also own the domain name registration <chihuly.com> (registered on April 20, 1995), which resolves to their official website.

The disputed domain name was registered on February 24, 2020 and resolved to a website that displayed without authorization the CHIHULY mark, among others at the top of the main webpage and in the contact email address ostensibly of the Respondent on the website and mostly offered for sale under the CHIHULY mark nearly identical goods as those offered by the Complainants. The website at the disputed domain name also displayed without authorization a number of the Complainants’ proprietary copyrighted images. A buried webpage on the website associated with the disputed domain name contained a disclaimer that the chandeliers offered for sale by the Respondent refer to chandeliers “created as a reproduction or imitation of Dale Chihuly’s original blown glass chandeliers”.

Currently the disputed domain name resolves to a website at “www.longreelighting.com” which lists for sale as the most popular grouped featured categories of goods Chihuly glass chandeliers, Chihuly style glass chandeliers and other chandeliers and lighting products. The website at the disputed domain name also

features without authorization a number of the Complainants' proprietary copyrighted images. A deeply buried webpage under one of the photos at the "Blog" link at the website to which the disputed domain name resolves contains the following notice: "A Chihuly chandelier refers to a chandelier created by Dale Chihuly, a renowned American glass artist", while "A Chihuly style blown glass chandelier refers to a chandelier that is created as a reproduction or imitation of Dale Chihuly's original blown glass chandeliers".

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for the transfer of the disputed domain name. Notably, the Complainants contend that:

- the disputed domain name incorporates the entirety of the CHIHULY mark and that the addition of the term "chandelier" to the mark in the disputed domain name does not prevent a finding of confusing similarity;
- 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 CHIHULY mark is distinctive and unique to the Complainants and there is no good faith reason for an unauthorized third-party to incorporate the mark into a domain name; and
- the Respondent knew of the Complainants and registered the disputed domain name to pass-off the Complainants and cause confusion amongst the Internet users as to the source or affiliation of the Respondent's website and the products offered for sale on that website.

The Complainants request that the disputed domain name be transferred from the Respondent to the Complainant Chihuly, Inc.

B. Respondent

The Respondent did not formally reply to the Complainants' contentions.

However, as mentioned above the Center received email communications on August 22, 23, and September 23, 2025 which apparently originated from the Respondent. In the informal communications of August 22 and 23, 2025 sent to the Center the Respondent inquired about the status of the case; who to contact for settlement discussions; what would be required for them if they wish to continue using the disputed domain name, or under what circumstances the Complainant may agree to allow them to retain it. In its email communication of September 23, 2025 sent to the Center the Respondent unilaterally requested suspension of the proceeding.

6. Discussion and Findings

6.1 Procedural Issue – Consolidation of Multiple Complainants

Paragraph 10(e) of the Rules grants a panel the power to consolidate multiple domain name disputes.

According to section 4.11.1. of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), in "assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has effected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit consolidation".

The Complainants have a common grievance against the Respondent. The Panel establishes that these facts warrant permitting consolidation in this proceeding as a procedurally equitable and efficient action.

6.2. Substantive issues

In order to succeed on a complaint, a complainant must evidence each of the three elements required by paragraph 4(a) of the Policy, 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 3.0](#), section 1.7.

The Complainants have 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 comprises the CHIHULY trademark with the addition of the term "chandelier".

The trademark is recognizable within the disputed domain name and the addition of the "chandelier" to the mark in the disputed domain name does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.

Accordingly, the disputed domain name is confusingly similar to the Complainants' mark 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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants' 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.

The Respondent never received any authorization to use the Complainants' CHIHULY mark in a domain name or otherwise. The Respondent is not commonly known by the disputed domain name or the CHIHULY mark.

The Respondent's websites at the disputed domain name prominently mention numerous times and offer for sale a number of "Chihuly Chandeliers", which – when clicked on the photos depicting these goods – turn out to be "Chihuly Style" goods, imitations of the Complainants' original goods, as stated by the Respondent. The Panel finds that this can significantly mislead Internet users and does not constitute a legitimate noncommercial or fair use of the disputed domain name.

The websites at the disputed domain names do not accurately and prominently disclose the lack of Respondent's relationship with the Complainants and the Respondent claims to offer for sale imitations of the Complainants' goods hence the "nominative use" justification for a domain name reflecting the Complainants' mark does not apply in this case. [WIPO Overview 3.0](#), sections 2.13.2 and 2.8.1; *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The disputed domain name consists of the Complainants' CHIHULY trademark plus the term "chandelier" which describes the Complainants' offerings under the trademark. Such composition of the disputed domain name carries a risk of implied affiliation with the Complainant and cannot constitute fair use. [WIPO Overview 3.0](#), section 2.5.1. The fact that the Respondent's website discloses that the products are imitations does not serve to cure the risk of implied affiliation arising from the disputed domain name.

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 view of the Panel the evidence in the case file indicates that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainants' trademark.

The CHIHULY mark registration predates the date of registration of the disputed domain name.

The websites at the disputed domain name display the Complainants' mark and a number of their copyright protected imagery, along with the Respondent referencing Dale Chihuly and his art, thus in view of the Panel it is clear that the Respondent had actual knowledge of the Complainants and the CHIHULY mark and registered the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainants' mark. Paragraph 4(b)(iv) of the Policy.

Many products on the websites at the disputed domain name are initially labeled by the Respondent as "Chihuly Chandelier", which creates an appearance of being goods manufactured by the Complainant. However, when clicking on some of the photos of these goods it turns out that these items are "Chihuly Style Chandeliers", which the Respondent claims to be a reproductions or imitations of Dale Chihuly's original blown glass chandeliers. The deeply buried "disclaimers" mentioned above are difficult and complicated to access which suggests that they were never intended to clearly and sufficiently inform Internet users about the corresponding goods, but to rather try to legitimize the Respondent's conduct in violation of the Complainants' rights. These facts and circumstances are in view of the Panel further indication of the Respondent's bad faith.

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 <chihulychandelier.com> be transferred to the Complainant Chihuly, Inc.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: November 19, 2025