

ADMINISTRATIVE PANEL DECISION

Pink Floyd (2023) Limited v. Muhammad ikbal
Case No. D2025-3441

1. The Parties

The Complainant is Pink Floyd (2023) Limited, United Kingdom, represented by Boulton Wade Tennant LLP, United Kingdom.

The Respondent is Muhammad ikbal, Indonesia.

2. The Disputed Domain Name and Registrar

The Disputed Domain Name <whypinkfloyd.com> is registered with DropCatch.com 1224 LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 26, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 28, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on August 29, 2025, providing the registrant and contact information disclosed by the Registrar.

The Center verified that 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 the Respondent of the Complaint, and the proceedings commenced on September 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 25, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on September 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

The Complainant is an English rock band formed in 1965 that has released and sold numerous records, studio albums, live albums and singles, and obtained numerous awards and accolades, in the years since its formation. To date, the Complainant is estimated to have sold over 250 million albums worldwide. The Complainant has also carried out extensive merchandising of various products associated with the Complainant and its albums.

The Complainant is well known and recognizable, enjoying a significant reputation worldwide. The Complainant's fame is also reflected in its introduction into the United States of America ("United States") Rock & Roll Hall of Fame in 1996. The Complainant's reputation extends to Indonesia, where the Respondent is apparently located. Evidence is provided in the Complaint of an article in Indonesian newspapers about the Complainant, as well as, evidence demonstrating Complainant's significant fan base on international music platforms.

The Complainant owns worldwide trademark registrations for PINK FLOYD, such as the following:

- the United Kingdom trademark registration number 02066619 for PINK FLOYD (word), filed on March 28, 1996, registered on October 18, 1996, covering goods and services in International Classes 9, 16, 25, 41; and
- the United States trademark registration number 2194702 for PINK FLOYD (word), filed on December 23, 1996, registered on October 13, 1998, covering goods and services in International Classes 9, 16, 25, and 41.

The Complainant also owns numerous domain names containing or incorporating PINK FLOYD, including <pinkfloyd.com> (its official website), <thepinkfloyd.uk>, and <pinkfloydexhibition.com>.

The Disputed Domain Name was registered on August 24, 2024, and, at the time of filing of the Complaint, it redirected to a commercial website at the domain name <rightcoastpizza.com/gr/>, provided in Bahasa Indonesia language, and promoting online gambling services.

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 alleges it is well known worldwide and has established trademark rights for many decades, the PINK FLOYD trademark is instantly and widely recognisable, and the Complainant has a large, world-wide, fan base.

The Disputed Domain Name is confusingly similar the PINK FLOYD trademark, since the Respondent has replicated the core of the Complainant's trademark with an additional low distinctive word element.

The Respondent has no rights or legitimate interests in the Disputed Domain Name, as the Respondent is seeking to divert users away from the Complainant through the registration of a misleading domain name, and such use cannot be associated with a non-commercial use or legitimate interest.

The Respondent registered and is using the Disputed Domain Name in bad faith mainly because: the Complainant enjoys a significant reputation in its mark and PINK FLOYD is widely known and world-famous for many decades; a basic checking on the Internet would have revealed the Complainant and its mark; the Respondent's aim is to confuse consumers into believing that the Disputed Domain Name belongs to the Complainant; visitors to the website under the Disputed Domain Name would expect to find a site relating to,

or endorsed by, the band Pink Floyd; and UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (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 the Disputed Domain Name; and
- (iii) the Disputed 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 Panel finds the mark PINK FLOYD is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other term, here "why", may bear on assessment of the second and third elements, the Panel finds the addition of such element does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds 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 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.

The Panel notes the composition of the Disputed Domain Name, which combines the Complainant's well-known trademark PINK FLOYD with the dictionary term "why", suggests an affiliation with the Complainant. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

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 the present case, the Panel notes that the Disputed Domain Name was registered in bad faith, with knowledge of the Complainant and its trademark particularly because the Complainant's trademark predates the registration of the Disputed Domain Name by about three decades and is highly distinctive and well known worldwide, and the composition of the Disputed Domain Name itself, reproducing the Complainant's mark together with a non-distinctive element (i.e. "why"), also being very similar to the Complainant's domain names.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Given that the Disputed Domain Name incorporates the Complainant's well-known trademark, and the website operated under the Disputed Domain Name provides online services unrelated to the Complainant, without displaying any disclaimer nor accurate information about the entity operating such website, indeed in this Panel's view, the Respondent has intended to attract Internet users accessing the website corresponding to the Disputed Domain Name who may be confused and believe that such website is held, controlled by, or somehow affiliated with or related to the Complainant, for the Respondent's commercial gain.

The Respondent chose not to participate in these proceedings and provided an inaccurate/incomplete postal address at the registration of the Disputed Domain Name, because the Written Notice could not be delivered to the Respondent by courier service. Along with the other circumstances in this case, this may be a further sign of bad faith.

Previous UDRP panels have found that the mere registration of a domain name that is identical or confusingly similar to a widely known trademark by an unaffiliated entity can, by itself, create a presumption of bad faith for the purpose of Policy. [WIPO Overview 3.0](#), section 3.1.4.

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, <whypinkfloyd.com>, be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: October 9, 2025