

ADMINISTRATIVE PANEL DECISION

Bloomsbury Publishing Plc v. Usman KarachiWala
Case No. D2025-4949

1. The Parties

The Complainant is Bloomsbury Publishing Plc, United Kingdom ("UK"), represented by Kilburn & Strode LLP, United Kingdom.

The Respondent is Usman KarachiWala, United States of America ("United States").

2. The Domain Names and Registrar

The disputed domain names <bloomsburypublishings.com> and <broomsburypublishing.com> are registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 28, 2025. On December 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 2, 2025, the Registrar 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 3, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on December 5, 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 the Respondent of the Complaint, and the proceedings commenced on December 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 8, 2026.

The Center appointed Taras Kyslyy as the sole panelist in this matter on January 13, 2026. 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 a global publishing house established in 1986, which has been trading under the mark BLOOMSBURY since this date. The Complainant has offices in London, New York, New Delhi, Oxford and Sydney. The Complainant has published books by authors that have won the Nobel, Pulitzer and Booker Prizes, and is the originating publisher and custodian of the famous Harry Potter series of books.

The Complainant owns portfolio of registered trademark rights in respect of the mark BLOOMSBURY in various jurisdictions, including, for instance, the UK trademark registration No. 905227715, registered on July 17, 2007, and the United States trademark registration No. 3779055 registered on April 20, 2010.

The Complainant is the proprietor of the domain name <bloomsbury.com>, and maintains an online retail business using this domain name as its URL.

The disputed domain name <broomsburypublishing.com> was registered on October 16, 2025 and resolves to a website advertising publishing services and impersonating the Complainant.

The disputed domain name <bloomsburypublishings.com> was registered on July 18, 2025 and resolves to a website prominently using the Complainant's trademark, advertising publishing services and impersonating the Complainant. There was a scam activity via an email address associated with the disputed domain name <bloomsburypublishings.com>.

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 names.

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to the Complainant's trademark. A generic Top-Level Domain ("TLD"), in this case, ".com", is disregarded when assessing the confusing similarity between a trademark and a domain name. The disputed domain names contain either the Complainant's trademark, or the intentional misspelling that is likely to be mistaken for the identical mark. The only material difference between the Complainant's trademark and the disputed domain names is the addition of the descriptive suffix element "publishing(s)". The addition of the non-distinctive element "publishing(s)" does not distinguish the disputed domain names in any way.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent is not authorized to use the Complainant's trademark and is not an authorized seller of the goods or services branded with the Complainant's trademark. The Respondent has not used the disputed domain names in connection with a bona fide offering of goods or services. Instead, the disputed domain names connect to infringing websites, featuring the Complainant's trademark, or its intentional misspelling. The websites advertise publishing services identical to those covered by the Complainant's trademarks and offered by the Complainant. The websites accessed via the disputed domain names also feature a number of images of publications published by the Complainant. These are deliberate attempts to impersonate the Complainant and given the confusingly similar nature of the disputed domain names and the Complainant's trademark and domain name registrations, no bona fide offering of goods or services could take place under the disputed domain names. The Respondent has not commonly been known by the marks featuring the disputed domain names. The infringing websites content and the use of

the Complainant's trademark show intent on the behalf of the Respondent to misleadingly divert consumers to their websites for commercial gain. The Complainant has not licensed or otherwise permitted the Respondent to use its trademark or anything similar thereto in the disputed domain names. The Complainant was alerted by the customer that they had been subject to scam activity via an email address with a domain of "@bloomsburypublishings.com".

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. The Complainant's trademark is an inherently distinctive sign when applied to the goods and services for which it is registered. The Complainant's trademark is also well known in relation to the goods for which it is registered and used, and at the time of the registration of the disputed domain names, the Complainant enjoyed international repute, such that the Respondent would clearly have been aware of the Complainant. The use of an intentional misspelling has been done to purposefully cause confusion with the Complainant. The Complainant provides, inter alia, publishing services and publications, and their company/trading name is "Bloomsbury Publishing". Therefore, the inclusion of the element "publishing(s)" within the disputed domain names does nothing to distinguish them from the Complainant's trademark. In fact, it does the contrary and has clearly been selected to misrepresent to consumers that the disputed domain names belong to and are operated or otherwise endorsed by the Complainant. The disputed domain names lead to infringing websites prominently using the Complainant's trademark (or the intentional misspelling), throughout the content and claiming to offer a range of publishing services. The Respondent does not have, and in light of the Complainant's intellectual property rights, cannot have any legitimate interest in the disputed domain names. Similarly, there is no conceivable circumstance in which the Respondent could use confusingly similar disputed domain names in good faith. The Respondent claims to offer publishing services and are therefore identical to the services for which the Complainant's trademarks are registered and used. The choice to use either the Complainant's trademark to create infringing websites is an attempt by the Respondent to misrepresent themselves as the Complainant and shows that the Respondent was clearly aware of the Complainant when it registered and used the disputed domain names. The disputed domain names are used as part of an elaborate scam purely to deceive people into giving them money in the form of an advance payment for publishing services that they believe to originate from the Complainant. The operation of a scam that has resulted in actual consumer confusion evidence that the disputed domain names have been used in bad faith to cause confusion for the Respondent's commercial benefit. With regard to actual confusion, the Respondent has not only attempted to attract consumers for its own commercial gain by creating a likelihood of confusion with the Complainant, it has succeeded. The Complainant has been contacted by at least two individuals that have experienced actual confusion, believing they have been contacted by the Complainant.

B. Respondent

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

6. Discussion and Findings

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 names. 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 applicable generic Top-Level Domain ("gTLD") in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity

test. Thus, the Panel disregards the gTLD “.com” for the purposes of the confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel considers the disputed domain name <broomsburypublishing.com> consisting of intentional misspelling of the Complainant’s trademark. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

Although the addition of other terms here, “publishing(s)”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

The available evidence does not confirm that the Respondent is commonly known by the disputed domain names, which could demonstrate its rights or legitimate interests (see, e.g., *World Natural Bodybuilding Federation, Inc. v. Daniel Jones, TheDotCafe*, WIPO Case No. [D2008-0642](#)).

The Complainant did not license or otherwise agree for use of its prior registered trademarks by the Respondent, thus no actual or contemplated bona fide or legitimate use of the disputed domain names could be reasonably claimed (see, e.g., *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#)).

Panels have held that the use of a domain name for illegal activity here, claimed phishing and impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 Respondent upon registration of the disputed domain names placed at them websites impersonating the Complainant. The Panel finds this confirms the Respondent knew and targeted the Complainant and its trademark when registering the disputed domain names, which constitutes bad faith.

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.

According to paragraph 4(b)(iv) of the Policy the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith: by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its 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 your website or location or of a product or service on your website or location. In this case, the disputed domain names are resolving to websites featuring the Complainant's trademark and falsely pretend to be official Complainant's local websites to intentionally attract Internet users by creating likelihood of confusion with the Complainant's trademark as to the source of the website and its products. The Panel finds the above confirms the disputed domain names were registered and used in bad faith.

Panels have held that the use of a domain name for illegal activity here, claimed phishing and impersonation/passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

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 names <bloomsburypublishings.com> and <broomsburypublishing.com> be transferred to the Complainant.

/Taras Kyslyy/

Taras Kyslyy

Sole Panelist

Date: January 23, 2026