

## **ADMINISTRATIVE PANEL DECISION**

Lulu & Georgia, Inc. v. Ruth H Chin  
Case No. D2025-5080

### **1. The Parties**

The Complainant is Lulu & Georgia, Inc., United States of America ("United States"), represented by Sheppard, Mullin, Richter & Hampton, LLP, United States.

The Respondent is Ruth H Chin, United States.

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

The disputed domain name <luluandgeorgiashop.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 December 6, 2025. On December 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 9, 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 (Privacy service provided by Gname.com Pte. Ltd.) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 12, 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 amended Complaint on December 12, 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 December 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 9, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on January 14, 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 luxury interior design and home décor shopping site doing business at “www.luluandgeorgia.com” since 2012. The Complainant sells goods bearing the mark LULU & GEORGIA, and owns a trademark registration for the mark in the United States: Trademark Registration Number 5407349, registered on February 20, 2018. The Complainant has been featured in major fashion publications throughout the world, including Vogue, Architectural Digest, and Harper’s Bazaar.

The Respondent appears to be an individual with an address in the United States.

The disputed domain name was registered on December 6, 2024, and as of the date of the submission of the Complaint, resolved to a website prominently displaying the Complainant’s mark and advertising Lulu & Georgia-branded home goods for sale.

#### **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 the LULU & GEORGIA mark in which it has rights since the disputed domain name contains the “lulu” and “georgia” portions; the use of “and” instead of the ampersand is a minor difference, and the term “shop” is descriptive.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that the Respondent uses the disputed domain name to sell counterfeit Lulu & Georgia-branded products, and that the website at the disputed domain name passes itself off as the Complainant, which amount to illegal use which does not constitute a bona fide offering of goods or services or fair use.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that its mark is widely recognized throughout the world and that the Respondent’s use of the disputed domain name for selling counterfeit Lulu & Georgia goods is evidence that the Respondent had actual knowledge of the Complainant and its mark prior to registering the disputed domain name. The Complainant further contends that the Respondent used the disputed domain name to divert Internet traffic to sell counterfeit Lulu & Georgia-branded goods which constitutes use in bad faith.

##### **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 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 entirety of the mark is reproduced within the disputed domain name, with the term "and" in place of the ampersand which cannot be expressed in a 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.

Although the addition of other terms – here, "shop" – 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 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 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.

Moreover, "UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second- or top-level), 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. Here, the descriptive term "shop" is added after the Complainant's mark which may mislead Internet users into believing that the website at the disputed domain name is an online store operated by the Complainant, contrary to the fact.

Furthermore, the Respondent is using the disputed domain name to display a website confusingly similar to the official website of the Complainant which indicates that the Respondent impersonated or passed itself off as the Complainant. Panels have held that the use of a domain name for illegitimate activity - here, claimed impersonation/passing off - 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 registered the disputed domain name containing the Complainant's mark, and linked it to a website displaying the LULU & GEORGIA mark and offering Lulu & Georgia-brand goods for sale. Based on this use, it is highly unlikely for the Respondent to have registered the disputed domain name by chance. Rather, the Panel finds that the Respondent most likely was aware of the Complainant and its trademark and targeted the Complainant by registering the disputed domain name.

Further, Panels have found that the mere registration of a domain name that is confusingly similar to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), Section 3.1.4.

Panels have also held that the use of a domain name for illegitimate or illegal activity constitutes bad faith. Here, the Complainant contends that the Respondent is selling counterfeit goods through the disputed domain name but has not submitted evidence to support such a claim. But based on the nature of use, and particularly, the confusing similarity between the website at the disputed domain name and the Complainant's own official website, the Panel finds that the Respondent is at the very least engaging in illegitimate activity by impersonating or passing itself off as the Complainant, which 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 name 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 name <luluandgeorgiashop.com> be transferred to the Complainant.

*/Kathryn Lee/*

**Kathryn Lee**

Sole Panelist

Date: January 28, 2026