ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
Art For Film, LLC v. J Long
Case No. D2026-0033

## 1. The Parties

Complainant is Art For Film, LLC, United States of America ("United States"), represented by Adwar Ivko, United States.

Respondent is J Long, United States, represented by Cowan, DeBaets, Abrahams & Sheppard, LLP, United States.

## 2. The Domain Name and Registrar

The disputed domain name <artforfilm.com> is registered with GoDaddy.com, LLC (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 6, 2026. On January 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 7, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information (Jennifer Long) and contact information in the Complaint. The Center sent an email communication to Complainant on January 12, 2026, 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 January 13, 2026. Respondent sent an email communication to the Center on January 14, 2026.

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 January 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 15, 2026. The Response was filed with the Center on February 9, 2026.

The Center appointed Lorelei Ritchie, Thomas L. Creel, and Lawrence K. Nodine as panelists in this matter on March 20, 2026. The Panel finds that it was properly constituted. Each member of 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, a limited liability company based in the United States, filed its Articles of Incorporation with the State of New York on March 12, 2007. Since its inception, Complainant has offered services related to the clearance and rental of artwork for, inter alia, films. Complainant owns a registration for the mark ART FOR FILM, U.S. Registration No. 7,742,255 (registered April 1, 2025) for services identified as “rental of artwork”. The registration contains a disclaimer of the exclusive right to use the term “art” apart from the mark as shown, as well as an acknowledgement by Complainant that the mark in its entirety has acquired, rather than inherent, distinctiveness. Complainant also owns a registration for the term ART FOR FILM used with a design, for the same services and with the same restrictions, U.S. Registration No. 7,750,177 (registered April 8, 2025). Complainant filed both applications for registration with the United States Patent and Trademark Office (“USPTO”) on December 20, 2023.

Respondent, based in the state of California, also offers services related to the clearance and rental of artwork for films. Respondent registered the disputed domain name in June 1998. Since then, Respondent has consistently renewed and owned the disputed domain name without interruption or transfer to any third party. Respondent has used the disputed domain name to redirect to a website advertising Respondent's services. As of the filing of the Complaint, the disputed domain name resolves to a webpage providing information about the types of services involved in clearing and renting of “art for film”.

## 5. Parties’ Contentions

### A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant’s trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns registrations for the mark ART FOR FILM, which Complainant uses in connection with its services providing clearance and rental of art for film. Complainant asserts that its ART FOR FILM mark is included in Complainant’s own domain name <artforfilmnyc.com>, which Complainant purchased in 2006, and which Complainant uses to connect with prospective consumers online.

Complainant contends that Respondent has similarly incorporated the term “art for film” into the disputed domain name. Complainant contends, “[i]t is the business of both Complainant and Respondent to provide legally cleared artwork for use in film, television, and commercials”. Complainant “acknowledges that the original registration of the Disputed Domain Name was not a bad faith registration”, since Respondent's registration pre-dates Complainant's use of the ART FOR FILM mark “in commerce”. Complainant contends, however, that Respondent's “re-registration” (i.e., renewal) of the disputed domain name, specifically in 2016, constitutes bad faith, because, by that time Respondent knew that Complainant had acquired rights in the mark. Complainant contends that Respondent is a “direct competitor” of Complainant, and that Respondent's use of the disputed domain name to redirect to Respondent's website offering these competing services is not a legitimate use.

**B. Respondent**

Respondent contends that (i) the disputed domain name is not identical or confusingly similar to Complainants' trademarks, (ii) Respondent has rights or legitimate interests in the disputed domain name; and (iii) Respondent did not register and is not using the disputed domain name in bad faith.

Respondent contends that the disputed domain name differs from Complainant's registered ART FOR FILM mark since the terms "art for film" are being "used solely in a descriptive sense" in the disputed domain name. Respondent contends that she has rights or legitimate interest in the disputed domain name, since the disputed domain name "has been owned by Respondent for decades" and has been "used to identify Respondent personally and professionally". Respondent further asserts that she is, and has been, using the disputed domain name for a "bona fide offering of services", since before Complainant filed its applications for registration with the USPTO. An article in Los Angeles Times Magazine detailed some of Respondent's work renting cleared art for film in iconic scenes for award-winning movies. The article was published in 2001, several years before Complainant's incorporation, and before Complainant's claimed first use of ART FOR FILM as a mark in commerce. Respondent asserts, therefore, that she cannot have registered or used the disputed domain name in bad faith.

**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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7. Through its submission of a trademark registration, Complainant has shown rights in respect of a trademark or service mark, ART FOR FILM, for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1

The Panel therefore finds that the disputed domain name is identical to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

**B. Rights or Legitimate Interests**

The Panel next considers whether Complainant has shown that Respondent has no "rights or legitimate interest," as must be proven to succeed in a UDRP dispute. Paragraph 4(c) of the Policy gives examples that might show rights or legitimate interests in a domain name. These examples include:

(i) use of the domain name "in connection with a bona fide offering of goods or services";
(ii) demonstration that respondent has been "commonly known by the domain name"; or
(iii) "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".

Complainant acknowledges that Respondent is a "direct competitor" and that Respondent began legitimately offering art for film, as stated in the disputed domain name, long before notice of the instant dispute. Complainant asserts, however, that Respondent did not use the disputed domain name until 2017. At the time of filing of the Complaint, Respondent's use of the disputed domain name to provide information about "cleared art for film & tv" is consistent with Respondent's business since the 1990s. Respondent has also provided evidence to elaborate on her use of the term in a manner that describes her bona fide offering of services before 2017, WIPO Overview 3.1, section 2.2, including that the term art for film has long been used in a descriptive manner by Respondent to describe her business.

Therefore, although Respondent has no license from, or other affiliation with, Complainant, the Panel finds that Respondent has provided sufficient evidence of her "rights or legitimate interests" in the disputed domain name in accordance with paragraph 4(a)(ii) of the Policy. Complainant cannot prevail in this UDRP proceeding without establishing Respondent's lack of "rights or legitimate interests" in the disputed domain name. Nevertheless, for completeness, the Panel proceeds with an analysis of the third element.

**C. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy provides examples of evidence that may indicate "bad faith" registration and use of a disputed domain name. These include:

(i) circumstances indicating that Respondent has registered or has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed 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 disputed domain name; or
(ii) that Respondent has registered the disputed 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 disputed domain name primarily for the purpose of disrupting the business of a competitor; or
(iv) that by using the disputed 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 that Complainant has not carried its burden of proving that Respondent registered and used the disputed domain name in bad faith within the meaning of the Policy. By Complainant's own admission, Respondent legitimately offers services regarding "art for film" and has done so for years, commencing prior to the date that Complainant filed its application to register the mark ART FOR FILM.

Respondent has received accolades for her work, and consumers seek out Respondent's services, including via the disputed domain name. Respondent has established a legitimate use and lack of bad faith in her registration and use of the disputed domain name. The Panel notes that in the United States, where both parties are based, Complainant's claim of acquired distinctiveness of its ART FOR FILM mark is effectively an admission that the mark is prima facie merely descriptive, albeit one capable of source-identifying capacity over time. The descriptive use by Respondent would generally be considered to be a permissible activity. Overall, the evidence in the case file as presented does not indicate that Respondent's aim in registering the disputed domain name was to profit from or exploit Complainant's mark, but rather to register it for its descriptive value.

Furthermore, because Respondent registered the disputed domain name in 1998 well before 2007, the earliest date that Complainant could have acquired rights in the mark, there is no basis for finding bad faith registration. WIPO Overview 3.1, section 3.8.1. Complainant "acknowledges that the original registration of the Disputed Domain Name was not a bad faith registration, as Complainant did not launch Complainant's website until late 2006 …," but nonetheless contends that Respondent's renewal of the disputed domain name in 2016 was a "re-registration" made in bad faith after Complainant purportedly acquired rights in 2007 when it started using the Mark. There is no merit to this contention.

Even if the Panel were to assume that Complainant had acquired trademark rights before 2016, this was still 18 years after Respondent registered the disputed domain name in 1998. Panels have consistently held that, although transfer of a domain name will be considered a new registration, renewal of a domain name by the same registrant is not considered to be a new registration under the Policy. WIPO Overview 3.1, section 3.9. Complainant makes no mention of this prevailing UDRP jurisprudence and instead argues that some

United States court decisions interpreting the Anti-Cybersquatting Consumer Protection Act ("ACPA") have found that "re-registration" of a domain name may be evaluated for bad faith.[1]

The Panel is not persuaded that this assists the Complainant here. First, all of the cited ACPA cases involve transfers of a domain name from one entity to another or registrations made in the course of a contractual relationship between parties, rather than renewals by the original registrant where no business relationship between the Parties exists, and are not, therefore, inconsistent with the prevailing view under the UDRP as expressed in WIPO Overview 3.0, sections 3.8.1 and 3.9. Second, and more fundamentally, the UDRP is supra-national law applicable worldwide that is interpreted based on its own extensive body of panel decisions rather than court decisions interpreting national law such as the United States ACPA (where there is also a split in the circuits on this point).[2]

The Panel finds that Complainant has failed to establish that Respondent registered and used the disputed domain name in bad faith under paragraph (4)(a)(iii) of the Policy.

## 7. Decision

For the foregoing reasons, the Complaint is denied.

*/Lorelei Ritchie/*
**Lorelei Ritchie**
Presiding Panelist

*/Thomas L. Creel/*
**Thomas L. Creel**
Panelist

*/Lawrence K. Nodine/*
**Lawrence K. Nodine**
Panelist
Date: April 3, 2026

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[1] *Prudential Ins. Co. of Am. v. Shenzhen Stone Network Info. Ltd.*, 58 F.4th 785, 789 and 797 (4th Cir. 2023). See *Schmidheiny v. Weber*, 319 F.3d 581, 583 (3d Cir. 2003); *Jysk Bed'N Linen v. Dutta-Roy*, 810 F.3d 767, 777 (11th Cir. 2015)

[2] *GoPets LTD v. Hise*, 657 F.3d 1024 (9th Cir. 2011).