

ADMINISTRATIVE PANEL DECISION

The Lovesac Company v. Lily Miller
Case No. D2026-0963

1. The Parties

The Complainant is The Lovesac Company, United States of America ("United States" or "U.S."), represented by Polsinelli PC, United States.

The Respondent is Lily Miller, United States.

2. The Domain Name and Registrar

The disputed domain name <lovesacsofa.com> ("Disputed Domain Name") is registered with Cosmotown, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 5, 2026. On March 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 9, 2026, 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 (Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 9, 2026, 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 March 16, 2026.

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 March 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 8, 2026.

The Center appointed Purvi Patel Albers as the sole panelist in this matter on April 16, 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 home furnishing and technology brand, known for its beanbag-style seats and its patented modular couch system. The Complainant is a U.S. corporation organized and existing under the laws of the State of Delaware. The Complainant has been operating in the home furnishing industry since 1995.

The Complainant includes evidence of ownership of numerous U.S. federal trademark registrations for LOVESAC, claiming use dating back as early as 1998, including:

- U.S. Registration No. 3,244,136 for LOVESAC (registered May 22, 2007) for use in connection with “pillows” and “bedding, namely blankets and blanket throws”;
- U.S. Registration No. 3,035,784 for LOVESAC (registered December 27, 2005) for use in connection with “furniture” and “retail furniture stores; retail clothing stores”;
- U.S. Registration No. 6,047,790 for LOVESAC (registered May 5, 2020) for use in connection with, inter alia, “furniture; outdoor furniture; furniture parts; chairs; furniture in the nature of foam bags; sectional furniture; sectional furniture parts; pillows; foam-filled chairs; frameless foam-filled furniture; cushions; furniture cushions; furniture accessories, namely, pillows and tables; furniture accessories, namely, fitted furniture covers made of fabric; furniture accessories, namely, fitted covers made of fabric; modular furniture; soft, frameless furniture; tables; furniture accessories, namely, accessory tables configured to be mounted on furniture, cup holders configured to be used specially with furniture, fitted covers made of fabric for frameless furniture; kits comprised of plastic and duffle bags which are specially adapted to contain frameless furniture” and “retail furniture stores; providing consumer product information and consumer information in the fields of furniture and furniture design; retail store services featuring furniture; on-line retail store services featuring furniture; providing commercial information via a website in the field of furniture; providing a website featuring consumer product information in the field of furniture; providing consumer information in the field of furniture; online retail store services featuring furniture accessories and furniture parts; retail stores in the field of furniture, furniture parts, and furniture accessories”; and
- U.S. Registration No. 5,571,076 for LOVESAC & Design (registered September 25, 2018) for use in connection with, inter alia, “retail furniture stores; providing information in the fields of furniture and furniture design; retail store services featuring furniture; on-line retail store services featuring furniture; providing commercial information via a website in the field of furniture; providing a website featuring information in the field of furniture; providing consumer information in the field of furniture.”

Outside of the United States, the Complainant holds trademark registrations for LOVESAC in numerous jurisdictions worldwide. The Complainant also owns the domain name <lovesac.com>, which it uses to operate its primary online retail store for its home furnishing products.

The Disputed Domain Name was registered on December 29, 2025. The Complainant includes evidence that, on February 23, 2026, the Disputed Domain Name resolved to a website that mimicked the Complainant’s official website and featured prominent use of the LOVESAC mark and branding, including the Complainant’s “Designed For Life” tagline; product categories such as Sactionals, Sacs, and PillowSac Chairs; and imagery identical or highly similar to the Complainant’s own product imagery, in an apparent scheme to deceive consumers into believing the website at the Disputed Domain Name was a legitimate storefront associated with the Complainant.

At the time of writing this Decision, the Disputed Domain Name is inactive.

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 it has rights in the LOVESAC mark due in part to the registrations above. The Complainant further asserts that the Disputed Domain Name is confusingly similar to the LOVESAC marks because it incorporates the mark in its entirety and merely includes the generic or highly descriptive term "sofa."

The Complainant also contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant asserts that there has never been any relationship with the Respondent that would give rise to any license, authorization, or permission for the Respondent to use or register the Disputed Domain Name, and that the Respondent is not using the Disputed Domain Name in connection with a bona fide offering of goods or services or in a legitimate noncommercial or fair manner because the Respondent is using the Disputed Domain Name to operate a fraudulent website that impersonates the Complainant and deceives consumers.

Finally, the Complainant contends that the Disputed Domain Name was registered and is being used in bad faith because the Respondent is intentionally attempting to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name, and the Respondent is using the Disputed Domain Name to impersonate the Complainant's website in a scheme to defraud.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, to succeed in this dispute, the Complainant must establish that:

- i. the Disputed Domain Name is identical or confusingly similar to a trademark in which the Complainant has rights,
- ii. the Respondent has no rights or legitimate interests in respect of 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy through, inter alia, the trademark registrations cited above. Thus, the Complainant has provided prima facie evidence of trademark rights. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's LOVESAC mark. Where a domain name incorporates the entirety of a trademark, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing. [WIPO Overview 3.1](#), section

1.7. Here, the entirety of the LOVESAC mark is reproduced within the Disputed Domain Name. The Disputed Domain Name merely adds the descriptive term “sofa” at the end of the Complainant’s mark.

Although the addition of other terms, namely, “sofa,” 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 LOVESAC mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. (“Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element”).

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 that 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 3.1](#), 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 Complainant has not authorized or licensed the Respondent to use said mark or register a domain name incorporating it, and there is no evidence showing that the Respondent is, or has been, known as “lovesacsofa” or similar.

There is also no evidence that the Respondent is using the Disputed Domain Name for a bona fide offering of goods or services. Instead, the un rebutted evidence in the case indicates that the Disputed Domain Name resolved to a website that prominently displays the Complainant’s LOVESAC mark, replicated the Complainant’s branding, imagery, and product offerings, and purported to sell Lovesac-branded products in an apparent effort to impersonate the Complainant and deceive consumers. Panels have held that the use of a domain name for illegitimate activity, such as impersonation, copycat sites, and passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Indeed, the composition of the Disputed Domain Name, which incorporates the Complainant’s mark together with the term “sofa” that is directly descriptive of the Complainant’s products, reinforces, rather than diminishes, the association with the LOVESAC mark.

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 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. Other circumstances may also be

relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In particular, paragraph 4(b)(iv) of the Policy provides that the intentional use of a domain name to attract users to a website for commercial gain, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website, establishes bad faith in the registration and use of the domain name.

In the present case, the Panel notes that the Respondent registered the Disputed Domain Name more than 20 years after the Complainant received its first U.S. trademark registration for the LOVESAC mark and after the Complainant's Lovesac brand had achieved recognition in the home furnishing industry. Considering the Complainant's longstanding prior use of the LOVESAC mark, the prominent adoption of the mark on the website at the Disputed Domain Name, and the Respondent's use of the Complainant's own branding and imagery to replicate the look and feel of the Complainant's official website, the Panel finds it implausible that the Respondent was unaware of the Complainant's rights when registering the Disputed Domain Name.

Further, the Panel notes that the Respondent is using the Disputed Domain Name and the Complainant's mark for its own commercial gain by creating a likelihood of confusion as to the source or affiliation of its website and to trick consumers into believing the Disputed Domain Name is somehow associated with the Complainant. The Respondent attempted to profit from the Complainant's reputation and goodwill by operating a website that replicates the Complainant's branding, imagery, and product categories to reinforce the false impression of source, sponsorship, affiliation, or endorsement.

Prior panels have held that the use of a domain name for illegitimate activity, such as impersonation, copycat sites, and passing off, constitutes bad faith. [WIPO Overview 3.1](#), 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 <lovesacsofa.com> be transferred to the Complainant.

/Purvi Patel Albers/

Purvi Patel Albers

Sole Panelist

Date: April 30, 2026