

ADMINISTRATIVE PANEL DECISION

Focusrite Audio Engineering Limited v. Lily Miller
Case No. D2026-1865

1. The Parties

The Complainant is Focusrite Audio Engineering Limited, United Kingdom, internally represented.

The Respondent is Lily Miller, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <focusritestudio.com> is registered with TuringSign Inc. d/b/a Cosmotown (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 30, 2026. On April 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 1, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 1, 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 amendment to the Complaint May 6, 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 the Respondent of the Complaint, and the proceedings commenced on May 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 28, 2026.

The Center appointed Charles Gielen as the sole panelist in this matter on June 4, 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 company selling a variety of goods and services in the audio industry, including audio interfaces, headphones, microphones, microphone preamplifiers and software for over 40 years, and uses the trade mark FOCUSRITE. The Complainant owns several registrations for this mark such as European Union trade mark registration No. 006367452, registered on November 6, 2007, for goods in classes 9 and 15, United Kingdom trade mark registration No. 00001394054, registered on May 7, 1993, for goods in class 9, and United States registration No. 1652200, registered on July 30, 1991, for goods in class 9.

The Complainant also owns the domain name <focusrite.com>, through which the goods and services are offered for sale.

The disputed domain name was registered on December 18, 2025, and resolves to a website on which FOCUSRITE branded products of the Complainant are being sold.

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 Complainant's trade mark. The disputed domain name contains an exact reproduction of the Complainant's trade mark FOCUSRITE.

The Complainant argues that the Respondent does not have any rights or legitimate interests in the disputed domain name. The Complainant argues first of all that the trade mark FOCUSRITE is an arbitrary term which has no meaning outside its use as a means to identify the Complainant as a source of the Complainant's products and services. The Complainant contends that the Respondent is not a licensee of the Complainant nor is the Respondent otherwise authorized to use the Complainant's trade mark for any purpose. Also, the content of the Respondent's website aims to reproduce the main elements of the Complainant's legitimate website, unlawfully reproducing the Complainant's trade mark and logos, and offering the Complainant's products, at a very low price. The use of the Complainant's trade mark and logos, and the offering of the Complainant's products, evidences the clear intention to mislead Internet users into thinking that the disputed domain name is operated by the Complainant. The Complainant explicitly argues that the trade mark has prominently and extensively been used, promoted, and advertised for over 40 years. By virtue of these efforts, the trade mark has become well recognized by consumers as designating the Complainant as the source of the goods and services so marked.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. The Complainant gives several reasons for this. First, the Respondent registered and is using the disputed domain name primarily to profit from and exploit the trade mark. The Respondent is using the disputed domain name to misdirect Internet users to its own website because the Respondent's website under the disputed domain name reproduces the main elements of the Complainant's website and offers products of the Complainant. Second, the very nature of the Respondent's registration and use of the disputed domain name evidences bad faith, because the Respondent knowingly registered the disputed domain name containing an exact reproduction of the well-known trade mark FOCUSRITE and capitalizes on

consumer recognition of this mark and the products designed and commercialized by the Complainant under the trade mark.

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 trade mark 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 trade mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's FOCUSRITE trade mark. It contains the Complainant's trade mark in its entirety and the only difference between the disputed domain name and the Complainant's trade mark is that the disputed domain name has the additional word "studio" after the Complainant's trade mark. This difference does not prevent the finding of confusing similarity between the trade mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.8.

Therefore, the requirement under paragraph 4(a)(i) of the Policy is met.

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 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.

First, the Respondent is default and did not show that it owns any rights to the name "focusritestudio" nor that it has any license or other authorisation from the Complainant to use its trade mark FOCUSRITE. Second, based on the available record, there is no evidence that the Respondent is commonly known by, or that it has ever been known under the name "focusritestudio". Furthermore, the Panel did not find any evidence that the Respondent has used, or prepared to use, the disputed domain name in connection with a

bona fide offering of goods or services. On the contrary, the website of the Respondent reproduces the trade mark and logos of the Complainant, showing images of the products in the same manner as on the website of the Complainant. Such activity, which the Panel views as an attempt to impersonate the Complainant, cannot be a bona fide offering of goods or services and do not create any rights or legitimate interests in the disputed domain name. Above that, even in case the Panel were to infer that the Respondent would be reselling the Complainant's products, the Panel's finding remains, as nowhere on the website of the Respondent it discloses a relation (or lack thereof) between the Complainant and the Respondent, which is one of the requirements, amongst others to be assessed by a panel to find legitimate interests in using the trade mark in a case of a reseller of products ([WIPO Overview 3.1](#), section 2.8.1).

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.

With respect to the registration of the disputed domain name, the Panel finds that the Respondent clearly had the trade mark of the Complainant in mind when registering the disputed domain name. This is obvious because the website to which the disputed domain name resolves displays the trade mark and logo of the Complainant. The Panel finds that the disputed domain name was registered and is used in bad faith. This follows from the fact that the Respondent never received any authorization to use the trade mark FOCUSRITE. By using the disputed domain name, the Respondent intentionally attracts Internet users for commercial gain by creating a likelihood of confusion with the trade mark FOCUSRITE as to the source, sponsorship, affiliation, or endorsement of the website and the products offered on it. The bad faith of the Respondent in using the trade mark of the Complainant in its domain name clearly follows from the fact that the website of the Respondent displays the logo used by the Complainant as well as pictures of the website of the Complainant, indicating the Respondent's intention to impersonate the Complainant or at least to imply an affiliation with it for commercial gain. Such use is use in 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 <focusritestudio.com> be transferred to the Complainant.

/Charles Gielen/

Charles Gielen

Sole Panelist

Date: June 18, 2026