

ADMINISTRATIVE PANEL DECISION

Bausch & Lomb Incorporated v. Clark Hannah Katie
Case No. D2026-2030

1. The Parties

The Complainant is Bausch & Lomb Incorporated, United States of America (“United States”), represented by Adams and Reese LLP, United States.

The Respondent is Clark Hannah Katie, United States.

2. The Domain Name and Registrar

The disputed domain name <getpreservation.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2026. On May 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 14, 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 for Privacy (DT), Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 14, 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 May 18, 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 May 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 9, 2026.

The Center appointed Evan D. Brown as the sole panelist in this matter on June 11, 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 in the eyecare business. It owns the mark PRESERVISION for which it owns a number of trademark registrations (e.g., United States Reg. Nos. 2,696,725, registered on March 11, 2003, and 4,818,033, registered on September 22, 2015).

The Respondent registered the disputed domain name on March 28, 2026. It has used the disputed domain name to set up a website that essentially impersonates the Complainant, prominently displaying the Complainant's marks and trade dress, displaying images from the Complainant's website, and purporting to offer the Complainant's products for sale.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark 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. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7. 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. *Id.* This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

The Complainant has demonstrated its rights in the PRESERVISION mark by providing evidence of its registrations for the mark. The disputed domain name incorporates the PRESERVISION mark in its entirety. This is sufficient under the Policy to establish confusing similarity. The addition of the word "get" does not eliminate the confusing similarity.

Accordingly, the Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent (with the burden of proof always remaining with the Complainant). See [WIPO Overview 3.1](#), section 2.1; *AXA SA v. Huade Wang*, WIPO Case No. [D2022-1289](#).

On this point, the Complainant contends, among other things, that: (1) the Respondent is not a licensee of the Complainant nor has the Complainant ever otherwise authorized the Respondent to register or use the PRESERVISION mark, (2) the Respondent is not commonly known by the disputed domain name, and (3) the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. Instead, the Respondent is using the disputed domain name to resolve to a “copycat” website that uses the Complainant’s content.

The Panel finds that the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in the disputed domain name. Nothing in the record tilts the balance in the Respondent’s favor.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith. The Policy describes several non-exhaustive circumstances demonstrating a respondent’s bad faith registration and use. Under paragraph 4(b)(iv) of the Policy, a panel may find bad faith when a respondent “[uses] the domain name to intentionally attempt 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 a product or service on [the respondent’s] website or location”.

The record indicates that the Respondent targeted the Complainant when it registered the disputed domain name. It went so far as to publish the Complainant’s copyright-protected images on its website in an effort to imitate the Complainant. This rises to the level of bad faith registration. See *Urban Outfitters Inc. v. Tatiana Vera*, WIPO Case No. [D2022-2176](#); *Golden Goose S.P.A. v. Whoisguard Inc. / Wei Zhang*, WIPO Case No. [D2017-2444](#).

The facts indicate that the Respondent used the disputed domain name in bad faith, by intentionally attempting to divert, for commercial gain, Internet users to one or more competing websites in an effort to confuse and mislead consumers. *Deutsche Lufthansa AG v. Domain Admin, Whois Privacy Corp / Ryan G Foo, PPA Media Services*, WIPO Case No. [D2015-2346](#); *Net2phone Inc. v. Dynasty System Sdn Bhd*, WIPO Case No. [D2000-0679](#). One cannot reasonably conclude that the Respondent set up the website at the disputed domain name for any sort of purpose other than to unfairly trade on the goodwill of the Complainant’s mark and/or to confuse Internet users.

For these reasons, the Panel finds that the Complainant has established this third element under 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 <getpreservision.com> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: June 24, 2026