

## **ADMINISTRATIVE PANEL DECISION**

Lulu & Georgia, Inc. v. Lily Miller  
Case No. D2026-2047

### **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 Lily Miller, United States.

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

The disputed domain name <luluandgeorgialiving.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 May 12, 2026. On May 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 16, 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 (Information not disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 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 on May 20, 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 12, 2026.

The Center appointed Michelle Brownlee as the sole panelist in this matter on June 18, 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 California corporation that operates a luxury interior design and home décor shopping website under the LULU & GEORGIA trademark.

The Complainant owns United States trademark registration number 5407349 for the trademark LULU & GEORGIA in connection with on-line retail store services featuring housewares and a wide variety of consumer goods of others in International Class 35, registered on February 20, 2018, claiming a first use in commerce of October 31, 2012.

The Complainant offers its services via a website at the domain name <luluandgeorgia.com>.

The Respondent registered the disputed domain name on December 18, 2025. It resolves to a website that displays a logo that is nearly identical to the Complainant's logo and is offering goods that are similar to the Complainant's products.

#### **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 LULU & GEORGIA mark, the Respondent has no rights to or legitimate interests in respect of the disputed domain name and the Respondent registered and is using the disputed domain name in bad faith. In particular the Complainant notes that the Respondent is using the disputed domain name to host a website that displays a logo that is nearly identical to the Complainant's logo and is offering retail services that are indistinguishable from the Complainant's services, including offers of counterfeit goods of the designer brands offered by the Complainant.

##### **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 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. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here, “living”, 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 3.1](#), 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 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.

The disputed domain name resolves to a website that displays a logo nearly identical to the Complainant’s logo and is offering goods that are similar to the Complainant’s products, including home décor products referencing the same designer brands associated with the products sold by the Complainant, all without providing any information as to its lack of relationship with the Complainant. Such use does not amount to a bona fide offering.

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 is using the disputed domain name to host a website that creates a likelihood of confusion with the Complainant’s website by displaying a logo that is nearly identical to the Complainant’s logo and offering competing online retail services selling home décor goods – which the Complainant contends are counterfeit – without disclosing its lack of relationship with the Complainant. Under the circumstances, the Panel finds that the Respondent has attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant’s mark, which is bad faith under paragraph 4(b)(iv) of the Policy.

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 <luluandgeorgialiving.com> be transferred to the Complainant.

*/Michelle Brownlee/*

**Michelle Brownlee**

Sole Panelist

Date: June 29, 2026