

ADMINISTRATIVE PANEL DECISION

Next Retail Limited v. tong xiaonian, lai zhiting
Case No. D2026-2752

1. The Parties

The Complainant is Next Retail Limited, United Kingdom ("UK"), represented by Markmonitor Limited, UK.

The Respondents are tong xiaonian, China; and lai zhiting, China.

2. The Domain Names and Registrar

The disputed domain names <lipsyuk.com> and <lipsyy.com> are registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 24, 2026. On June 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 26, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondents ("REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot") and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 29, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed an amended Complaint on June 30, 2026.

The Center verified that the Complaint together with 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 Respondents of the Complaint, and the proceedings commenced on July 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 23, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on July 28, 2026.

The Center appointed Rebecca Slater as the sole panelist in this matter on July 30, 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 incorporated under the laws of England and Wales. It is one of the UK's leading fashion retailers, with a history dating back to 1864. The Complainant operates an extensive network of retail stores throughout the UK and Ireland. It also has a substantial international online presence.

The Complainant offers a broad range of clothing, footwear, accessories, and homeware under a number of brands. The LIPSY brand is used by the Complainant as a sub-brand of its womenswear offering. LIPSY branded products are sold through the Complainant's UK website, its international websites, and in the Complainant's physical retail stores. The LIPSY brand also has an active social media presence, including an Instagram account operated under the handle "@LipsyLondon".

The Complainant owns a number of trade mark registrations for the LIPSY word mark, including: UK Trade Mark Registration No. UK00002446406 (registered July 27, 2007), UK Trade Mark Registration No. UK00002498360 (registered January 2, 2009), and UK Trade Mark Registration No. UK00003286345 (registered June 22, 2018) (the "Trade Mark").

The Respondents did not submit a response, and, consequently, little information is known about the Respondents. For reasons explained below, the Respondents are collectively referred to hereafter as "the Respondent", unless it is necessary to refer to them separately.

The disputed domain name <lipsyy.com> was registered on June 24, 2025, and the disputed domain name <lipsyuk.com> was registered on December 29, 2025. The disputed domain name <lipsyy.com> redirects to the website associated with the disputed domain name <lipsyuk.com>. The disputed domain name <lipsyuk.com> resolves to the website of a fashion retailer trading as "Lipsy". The website displays images of women's clothing (including dresses, tops, jackets, and jumpers), and shoes, which the Complainant alleges correspond to its LIPSY branded products, and promotes these products via "Buy On Amazon" buttons. The website also claims to be a participant in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to Amazon.com.

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 names.

Notably, the Complainant contends that:

- The disputed domain names are confusingly similar to the Trade Mark. The disputed domain name <lipsyy.com> incorporates a variant of the Trade Mark, doubling the final letter "y". The disputed domain name <lipsyuk.com> incorporates the Trade Mark in full, adding the geographical term "uk".
- The Respondent has no rights or legitimate interests in the disputed domain names. The Respondent is not commonly known by LIPSY, LIPSY, or LIPSYUK, is not a licensee of the Complainant, and has not received any permission, consent, or authorization from the Complainant to use the Trade Mark. The composition of the disputed domain names carries a clear risk of implied affiliation with the Complainant. The Respondent is not using the disputed domain names in connection with a bona fide

offering of goods or services and is not making a legitimate noncommercial or fair use of the disputed domain names. The website associated with the disputed domain names consists substantially of AI-generated content modelled on the Complainant's LIPSY brand in terms of product range, visual identity, and branding. The website is also monetized through Amazon affiliate links. The Complainant characterizes this as a "splog" or "spam blog" designed to exploit the Trade Mark.

- The disputed domain names were registered and are being used in bad faith. The Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's LIPSY name and Trade Mark as to source, sponsorship, affiliation, or endorsement. Mere registration of a domain name confusingly similar to a well-known mark can itself create a presumption of bad faith, and the Respondent knew or should have known of the Complainant's rights at the time of registration, given that the LIPSY brand has been used in commerce since at least 2007 and has achieved significant recognition in the UK and internationally. The Respondent's use of the disputed domain names to host a "splog" that exploits the value of the Trade Mark, monetized through Amazon affiliate links, takes unfair advantage of the Complainant's rights and disrupts its business. The Respondent cannot disclaim responsibility for AI-generated content appearing on its websites, and that the absence of direct profit does not in itself prevent a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that:

- the disputed domain name registrants have not contested the Complainant's assertion that the disputed domain names are under common control;
- both disputed domain names incorporate the Trade Mark in its entirety;
- the disputed domain names are registered with the same Registrar and use the same privacy service (with identical contact details) and name servers; and
- the disputed domain name <lipsyy.com> redirects to the website associated with the disputed domain name <lipsyuk.com>.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants in a single proceeding.

6.2. Substantive Issues

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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

Although the addition of other terms (here, "uk", in the disputed domain name <lipsyuk.com>) may bear on assessment of the second and third elements, the Panel finds the addition of this term does not prevent a finding of confusing similarity between the disputed domain name and the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The addition of the letter "y" to the Trade Mark in the disputed domain name <lipsyy.com> is an example of typosquatting. A domain name which consists of a common, obvious, or intentional misspelling of a trade mark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.1](#), section 1.9.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has not authorized the Respondent to use the Trade Mark and there is no evidence that the Respondent is commonly known by either disputed domain name.

Further, panels have held that use of a domain name in connection with a “splog” (that is a “spam blog” used to promote affiliated websites to increase the search engine ranking or to sell links or ads) is not a bona fide offering of goods or services under the Policy. See *Fiberweb Geosynthetics Limited v. osa bun/ Whois Privacy Shield Services*, WIPO Case No. [D2015-0048](#) and the cases cited therein.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may 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.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain names constitutes bad faith under the Policy.

The website at the disputed domain names is not a traditional ecommerce site that offers products for sale. The website contains articles with headlines featuring the Trade Mark, including: “Lipsy White Trainers”, “Lipsy Leggings”, and “Lipsy Leather Dress”. There are several buttons on the home page stating “Buy On Amazon” that links to the Amazon UK website and displays products that are competitive with the Complainant’s products for sale. There is a disclaimer at the bottom of each page of the website which states that “[t]he site is a participant in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to Amazon.com”. Accordingly, it is apparent that the primary purpose of the Respondent’s website is to promote products for sale on Amazon that compete with the Complainant’s products, with the objective of earning revenue in connection with the sale of such products.

The Panel takes no issue with the registration and use of websites for the publication of “splogs”. However, the registration and use of the disputed domain names that are confusingly similar to the Trade Mark as described above demonstrates that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Trade Mark, which constitutes bad faith. [WIPO Overview 3.1](#), section 3.1.4.

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 <lipsyuk.com> and <lipsyy.com> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: August 4, 2026