

ADMINISTRATIVE PANEL DECISION

Lamps Plus, Inc. v. Tomas Bristoun
Case No. D2026-2770

1. The Parties

The Complainant is Lamps Plus, Inc., United States of America ("United States"), represented by Sheppard, Mullin, Richter & Hampton, LLP, United States.

The Respondent is Tomas Bristoun, United States.

2. The Domain Name and Registrar

The disputed domain name <casaviejaceilingfan.com> is registered with Sav.com, LLC (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 name. On June 25, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 29, 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 July 1, 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 July 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 5, 2026.

The Center appointed Steven Auvil as the sole panelist in this matter on August 10, 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 well-known retailer of lighting products, ceiling fans, furniture, and home décor in the United States. The Complainant operates an e-commerce business through “www.lampsplus.com” and under its CASA VIEJA brand, and maintains numerous retail locations throughout the western United States.

The Complainant owns United States trademark registration 1319230 for its CASA VIEJA brand, registered on February 12, 1985.

The disputed domain name <casaviejaceilingfan.com> was registered on May 19, 2025. According to the Complaint, the disputed domain name resolved to a website prominently displaying the CASA VIEJA mark and descriptions of purported CASA VIEJA ceiling fan products. The website included content and images copied from the Complainant’s CASA VIEJA site and contained links redirecting users to CASA VIEJA product listings on Amazon through affiliate links. The disputed domain name does no longer resolve to an active website and instead returns a “404 Not Found” error page.

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.

First, the Complainant contends that the disputed domain name is confusing similar to its CASA VIEJA mark, having only added the descriptive terms “ceiling” and “fan.”, which directly relate to the Complainant’s CASA VIEJA mark. Second, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. Finally, the Complainant contends that the Respondent registered and used the disputed domain name in bad faith by operating a website that falsely suggested affiliation with the Complainant, reproduced the Complainant’s trademarks and content, and redirected visitors through Amazon affiliate links for commercial gain.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.” Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following to obtain relief:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel is entitled to accept as true the allegations set forth in the Complaint (unless the evidence is clearly contradictory), and to derive reasonable inferences from the evidence presented.

Based on the foregoing guidance, the Panel makes the following findings and conclusions based on the allegations and evidence contained in the Complaint, and reasonable inferences drawn from the evidence presented and the Respondent's failure to respond to the Complaint.

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. It owns a registered trademark for CASA VIEJA that was registered more than 40 years ago and has been continuously used since registration.

The disputed domain name incorporates the Complainant's CASA VIEJA mark in its entirety. The only additional element is the descriptive terms "ceiling" and "fan", which directly relates to the goods sold under the Complainant's CASA VIEJA mark and brand. The Panel finds the mark is recognizable within the disputed domain name. Although the addition of other terms here, "ceiling" and "fan", may bear on assessment of the second and third elements, the Panel finds the addition of such terms do 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. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Further, as set forth in section 1.11.1 of the [WIPO Overview 3.1](#), the applicable generic Top-Level Domain ("gTLD") (e.g., ".com" or ".org") is viewed as a standard registration requirement and as such is typically disregarded under the first element's confusing similarity test. Accordingly, the Panel finds that the use of ".com" gTLD in the disputed domain name has no bearing on the confusing similarity analysis.

The Panel therefore finds that the first element of paragraph 4(a) 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. Such circumstances include:

- (i) before any notice of the dispute, the Respondent used, or prepared to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services;
- (ii) the Respondent (as an individual, business, or other organization) is commonly known by the disputed domain name, even if the Respondent has acquired no trademark or service mark rights; or
- (iii) the Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or tarnish the trademark or service mark at issue.

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 Panel finds that the Respondent is not affiliated with the Complainant, the Respondent was never authorized to use the Complainant’s trademarks, the Respondent is not commonly known by the disputed domain name, and that the Respondent used the disputed domain name for a website prominently displaying the Complainant’s CASA VIEJA mark and product content. The Respondent has not rebutted the Complainant’s prima facie showing and, indeed, 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.

Further, panels have consistently held that use of a domain name to impersonate a complainant or falsely suggest affiliation cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. [WIPO Overview 3.1](#), sections 2.5.1 and 2.13.1. Here, the record reflects that the Respondent used the disputed domain name to offer identical or similar goods, and to mimic the Complainant’s legitimate online presence. The Respondent’s conduct further constitutes an attempt at impersonation or passing off, or at minimum creates a false association with the Complainant. Such use cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.. Accordingly, the Panel finds that the Respondent lacks rights or legitimate interests in the disputed domain name.

The second element of paragraph 4(a) 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 disputed domain name wholly incorporates the CASA VIEJA mark, and the Respondent used it to promote the sale of ceiling fans, the same business the Complainant is engaged in with its registered CASA VIEJA mark. The record demonstrates that the Respondent intentionally sought to create the false impression of an official or authorized CASA VIEJA website.

The Panel concludes from the foregoing facts that the Respondent intentionally attempted to attract Internet users, for commercial gain, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement. The website contained affiliate links directing Internet users to Amazon product listings for the same goods sold by the Complainant under its CASA VIEJA brand. This is strong evidence of bad-faith registration and use of the disputed domain name under paragraph 4(b)(iv) of the Policy. Subsequent mitigation efforts by Respondent, namely passive holding, does not change the Panel’s judgment that the disputed domain name was registered and is being used in bad faith. [WIPO Overview 3.1](#), section 3.3.

The third element of paragraph 4(a) of the Policy has therefore been established.

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 <casaviejaceilingfan.com> be transferred to the Complainant.

/Steven Auvil/

Steven Auvil

Sole Panelist

Date: August 24, 2026