

ADMINISTRATIVE PANEL DECISION

Lamps Plus, Inc. v. [Details Not Provided by Registrant]
Case No. D2026-2772

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 [Details Not Provided by Registrant], Ukraine.

2. The Domain Name and Registrar

The disputed domain name <casaviejafans.com> (the "Disputed Domain Name") 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 25, 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 which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 2, 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 July 3, 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 July 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 5, 2026.

The Center appointed Marilena Comanescu 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

Since the Respondent's mailing address is stated to be in Ukraine which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue. Having considered the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the Center has used the Respondent's email address as registered with the Registrar for the purpose of notifying the Complaint, and to the postmaster email address associated with the Disputed Domain Name, as specified by the Rules. Furthermore, the Center used the Registrar's contact request form, and the Complaint was forwarded to the Respondent's postal address as registered in the Whois. There is no evidence that the case notification through the Registrar's contact form or to the postal address was not successfully delivered.

It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no doubt (albeit in the absence of any Response) that the Respondent registered and has used the Disputed Domain Name in bad faith and with the intention of unfairly targeting the Complainant's goodwill in its trademark. The Panel concludes that the Parties have been given a fair opportunity to present their case so that the administrative proceeding should take place with due expedition. Therefore, the Panel will proceed to a Decision accordingly.

5. Factual Background

The Complainant is a major United States specialty lighting retailer, with 40 years of market presence and dedicated expertise in fans, chandeliers, and outdoor lighting. It operates a premier e-commerce platform at <lampsplus.com>, along with 35 storefronts in the western United States. The Complainant offers a full range of lighting, home furnishings, and décor, including exclusive patented designs and artisan-made customizable lamps. The Complainant also sells its products on eBay, Amazon, and Walmart.

The Complainant holds trademark rights for CASA VIEJA, such as the United States Trademark Registration number 1319230 for CASA VIEJA (word), filed on May 2, 1984, registered on February 12, 1985, covering goods in International Class 11.

The Disputed Domain Name was registered on July 5, 2024, and, at the time of filing the Complaint, it was used in relation to a commercial website which was prominently displaying the CASA VIEJA trademark, copyrighted images of the Complainant's products and their description, and was presenting itself as "Casa Vieja". The website under the Disputed Domain Name also contains links to the Complainant's Amazon store.

6. 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 Complainant holds trademarks and related common law rights in the CASA VIEJA mark, which acquired a high degree of public recognition and distinctiveness as a symbol of the source of high-quality products offered by the Complainant and embodies the valuable reputation and goodwill belonging exclusively to the Complainant;
- the Disputed Domain Name is confusingly similar to the CASA VIEJA trademark since it incorporates it in its entirety. With the addition of the descriptive term "fans", that is intended to relate directly to the Complainant's goods in connection with its trademark. This strengthens the perceived connection to the Complainant and its goods, increasing the likelihood of confusion among Internet users searching for the Complainant's goods;
- the Respondent has no rights or legitimate interests in the Disputed Domain Name particularly because: (i) the Respondent is not a representative of the Complainant, has no business relationship with the Complainant, does not have a license to use its trademarks, nor is authorized by the Complainant to register any domain name incorporating the CASA VIEJA mark; (ii) as the website under the Disputed Domain Name lacks any source-identifying information other than the Complainant's marks and original copyrighted images, it deceptively misleads visitors as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name, or creating the false impression that it is operated by, or affiliated with the Complainant; (iii) the website under the Disputed Domain Name indisputably trades on the goodwill of the Complainant and its products. By the Respondent's use of the Complainant's marks, product images and descriptions, the Respondent seeks to confuse Internet users to monetize the Disputed Domain Name by using the Amazon Services LLC affiliate advertising program to drive traffic through its site, which is not a legitimate use; and (iv) the nature of the Disputed Domain Name, comprising the CASA VIEJA mark with the descriptive term "fans", implies an affiliation with the Complainant as it effectively impersonates or suggests source, sponsorship, affiliation, or endorsement by the Complainant and cannot constitute a fair use in these circumstances. This is aggravated by the fact that the "View Catalog", "Explore Now", "View Products", and "Check Out Catalog" buttons on the website at the Disputed Domain Name redirect users to Amazon listings for products as offered for sale by the Complainant;
- the Respondent's registration and use of the Disputed Domain Name was, and continues to be, in bad faith with both actual and constructive knowledge of the Complainant's rights to the CASA VIEJA mark since: (i) the Respondent registered the Disputed Domain Name more than forty years after the Complainant started using and was granted federal registration for the CASA VIEJA mark; (ii) the fact that the Disputed Domain Name incorporates the CASA VIEJA mark in its entirety; (iii) the Disputed Domain Name resolves to a website where a landing page prominently displays CASA VIEJA mark, the Complainant's original copyrighted photos, in order to impersonate, or at least, further imply an association to the Complainant, the website at the Disputed Domain Name links to the Complainant's Amazon store. The Respondent continues to exploit the Disputed Domain Name in bad faith by diverting Internet users away from the Complainant's site for the Respondent's own commercial gain. Such activity wholly undermines the Complainant's legitimate commercial interests by falsely associating the website at the Disputed Domain Name with the Complainant.

B. Respondent

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

7. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (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 the Disputed Domain Name; and
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

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. See 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](#), sections 1.2.1 and 1.4.1.

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.

While the addition of other words, here "fans", may bear on assessment of the second and third elements, the Panel finds the addition of such elements 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 the Disputed Domain Name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving 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.

According to the evidence, the Respondent has used the Disputed Domain Name in connection with a website promoting goods identical to those of the Complainant, displaying the Complainant's trademark and copyrighted product images, presenting itself as being "Casa Vieja", without providing any disclaimer regarding the relationship (in fact the lack thereof) between the Respondent and the Complainant. UDRP panels have held that the use of a domain name for illegitimate activity (such as claimed impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel also notes that the composition of the Disputed Domain Name itself carries a risk of implied affiliation given that the Complainant's trademark has been reproduced in the Disputed Domain Name, together with the term "fans", which is one of the Complainant's main products.

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 finds that the Disputed Domain Name was registered in bad faith, with knowledge of the CASA VIEJA trademark and the Complainant, because it fully incorporates the mark which predates the registration of the Disputed Domain Name by about forty years, together with the dictionary term "fans", directly related to the Complainant's goods offered under the CASA VIEJA trademark. Further, the use of the Disputed Domain Name reinforces such finding.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

By creating a website using the Complainant's mark, displaying the CASA VIEJA trademark, copyrighted photographs, product depictions, offering identical goods to those offered by the Complainant, presenting itself as "Casa Vieja", and redirecting to third-party websites the Respondent has, in this Panel's view, intentionally sought to attract Internet users accessing the website at the Disputed Domain Name who may be confused and believe that the website is held, controlled by, or somehow affiliated or related to the Complainant, for its commercial gain.

The use of a domain name for illegal activity such as claimed impersonation/passing off can never confer rights or legitimate interests on a respondent and it is considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.4.

The Panel finds the third element of the Policy has been established.

8. 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, <casaviejafans.com>, be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: August 20, 2026