ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Lamps Plus, Inc. v. Alex Harrison
Case No. D2026-2924

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 Alex Harrison, Ireland.

2. The Domain Name and Registrar

The disputed domain name <thejohntimberland.com> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 2, 2026. On July 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 3, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 6, 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 8, 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 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 5, 2026.

The Center appointed Erica Aoki as the sole panelist in this matter on August 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 a United States company engaged in the retail sale of lighting, home furnishings, and décor.

The Complainant has operated as a specialty lighting retailer for nearly 40 years and conducts business through its website at “www.lampsplus.com”, as well as through physical retail stores and third-party online marketplaces.

The Complainant owns rights in the JOHN TIMBERLAND trademark, which it has used in connection with lighting and fountains since at least December 31, 2001.

The Complainant is the owner of United States Trademark Registration No. 3,093,196 for JOHN TIMBERLAND, registered on May 16, 2006, in International Class 11 for indoor and outdoor electric lighting fixtures and lamps. The registration remains valid and in force. The Complainant also claims common law rights arising from its longstanding use and promotion of the JOHN TIMBERLAND mark.

The Complainant’s JOHN TIMBERLAND products have been promoted through various media and have received third-party press coverage, including features relating to the Complainant’s lighting and outdoor fountain products.

The disputed domain name was registered on July 24, 2024, more than 20 years after the Complainant commenced use of the JOHN TIMBERLAND trademark.

According to the record, the disputed domain name resolves to a website prominently displaying the JOHN TIMBERLAND trademark and reproducing original photographs of the Complainant’s products.

The website contains “Check Prices” buttons which redirect Internet users to listings for the relevant products on the Complainant’s Amazon store.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the three elements required under paragraph 4(a) of the Policy for the transfer of the disputed domain name.

First, the Complainant submits that the disputed domain name is confusingly similar to its JOHN TIMBERLAND trademark. The disputed domain name incorporates the JOHN TIMBERLAND trademark in its entirety and merely adds the term “the” as a prefix. According to the Complainant, the addition of this term does not prevent a finding of confusing similarity.

The Complainant further submits that the generic Top-Level Domain (“gTLD”) “.com” is irrelevant for purposes of the confusing similarity analysis.

Second, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not a representative of the Complainant, has no business relationship with the Complainant, has not been licensed or otherwise authorized to use the JOHN TIMBERLAND trademark, and has not been authorized to register any domain name incorporating that mark. The Complainant further submits that there is no evidence that the Respondent has been commonly known by "John Timberland".

The Complainant further contends that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. According to the record, the website associated with the disputed domain name prominently displays the JOHN TIMBERLAND trademark and reproduces original copyrighted photographs of the Complainant's products, thereby creating the appearance that the website is operated by or authorized by the Complainant.

The Complainant submits that the Respondent uses this apparent association for commercial purposes. In particular, the "Check Prices" buttons displayed on the website redirect Internet users to product listings on Amazon through affiliate links. The Complainant contends that the Respondent thereby seeks to monetize Internet traffic generated through the disputed domain name by participating in the Amazon Services LLC affiliate advertising program. According to the Complainant, such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Third, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant argues that the Respondent had actual knowledge of the JOHN TIMBERLAND trademark when registering the disputed domain name, as demonstrated by the incorporation of the trademark in its entirety, the prominent display of the trademark on the associated website, the reproduction of the Complainant's copyrighted product photographs, and the links to the Complainant's Amazon store listing the Complainant's products.

The Complainant further submits that the Respondent intentionally uses the disputed domain name to attract Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement, and to derive commercial benefit from the resulting traffic through affiliate advertising. According to the Complainant, such conduct constitutes registration and use in bad faith under the Policy.

Accordingly, the Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must prove 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 respect of the disputed domain name; and

(iii) the disputed domain name was 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 (WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1"), section 1.7).

The Panel finds that the Complainant has demonstrated rights in the JOHN TIMBERLAND trademark through its registered trademark rights.

The disputed domain name incorporates the Complainant's JOHN TIMBERLAND trademark in its entirety. The addition of the term "the" as a prefix does not prevent the Complainant's trademark from remaining clearly recognizable within the disputed domain name.

Panels have consistently held that, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms does not prevent a finding of confusing similarity for purposes of the first element. WIPO Overview 3.1, section 1.8.

The gTLD ".com" is a standard registration requirement and is typically disregarded for purposes of assessing confusing similarity under the first element of the Policy. WIPO Overview 3.1, section 1.11.1.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's JOHN TIMBERLAND trademark.

The first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings rests with the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests may involve the difficult task of proving a negative, as relevant information is often primarily within the knowledge or control of the respondent.

Accordingly, where a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating such rights or legitimate interests. If the respondent fails to do so, the complainant is deemed to have satisfied the second element of the Policy. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

Based on the available record, the Respondent is not affiliated with the Complainant and has not been authorized, licensed, or otherwise permitted to use the JOHN TIMBERLAND trademark or to register a domain name incorporating that mark. There is no evidence that the Respondent has been commonly known by the disputed domain name or by the name "John Timberland".

The disputed domain name was used in connection with a commercial website prominently displaying the Complainant's JOHN TIMBERLAND trademark and reproducing original photographs of the Complainant's products. The website therefore created the appearance of being operated by, authorized by, or otherwise affiliated with the Complainant. The website at the disputed domain name contained no reference to a lack of relationship with the Complainant.

The Panel has also considered the fact that the "Check Prices" buttons on the Respondent's website redirected Internet users to Amazon listings for the relevant products, including products offered through the Complainant's Amazon store.

The record indicates that these links formed part of the Amazon Services LLC affiliate advertising program, through which the Respondent sought to monetize the Internet traffic generated by the disputed domain name.

The fact that Internet users were ultimately redirected to seemingly legitimate product listings, including listings associated with the Complainant, does not render the Respondent's use bona fide.

The Panel therefore finds that the Respondent was exploiting the Complainant's trademark and goodwill to attract Internet users to the disputed domain name and to derive commercial benefit from affiliate referrals. Such use does not constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy. Nor can the Respondent's use constitute legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy. The website was commercial in nature, and the composition of the disputed domain name, coupled with the presentation of the associated website, carried a clear risk of implied affiliation with the Complainant.

The Respondent has not submitted any Response or otherwise come forward with evidence capable of rebutting the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

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 sets out a non-exhaustive list of circumstances that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Having reviewed the record, the Panel finds that the disputed domain name was registered and is being used in bad faith.

The Complainant's JOHN TIMBERLAND trademark significantly predates the registration of the disputed domain name.

The Respondent's actual knowledge of the Complainant and its trademark is evident from both the composition of the disputed domain name and the content of the associated website.

The disputed domain name incorporates the JOHN TIMBERLAND trademark in its entirety, preceded only by the term "the". More significantly, the website prominently displays the JOHN TIMBERLAND trademark and reproduces original photographs of the Complainant's products.

The website further contains "Check Prices" buttons which redirect Internet users to Amazon product listings through affiliate links, including listings associated with the Complainant's Amazon store. The record indicates that the Respondent sought to monetize the Internet traffic generated by the disputed domain name through participation in the Amazon Services LLC affiliate advertising program.

The Panel considers that the fact that Internet users were ultimately redirected to legitimate Amazon product listings, including listings connected with the Complainant, does not negate bad faith. The relevant consideration is the Respondent used the disputed domain name incorporating the Complainant's trademark, together with the Complainant's trademark and product imagery on the website, in a manner that created the false impression that the website was operated by, authorized by, or otherwise affiliated with the Complainant for the Respondent's commercial gain.

By creating that impression and then deriving commercial benefit from affiliate referrals, the Respondent intentionally attempted to attract Internet users to the website for commercial gain by creating a likelihood of confusion with the Complainant's JOHN TIMBERLAND trademark as to the source, sponsorship, affiliation, or endorsement of the website. Such conduct falls within the circumstances contemplated by paragraph 4(b)(iv) of the Policy.

The Respondent has not submitted any Response or otherwise provided any explanation for its registration and use of the disputed domain name. In the circumstances of this case, there is no plausible good-faith explanation for the Respondent's conduct.

Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith. The third element of the Policy has 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 <thejohntimberland.com> be transferred to the Complainant.

/Erica Aoki/
Erica Aoki
Sole Panelist
Date: August 25, 2026