ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Lamps Plus, Inc. v. Isa Dahiru
Case No. D2026-2971

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 Isa Dahiru, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <protracklighting.com> (the "Disputed Domain Name") is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 7, 2026. On July 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 8, 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 (Undisclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 8, 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 14, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 18, 2026.

The Center appointed Nicholas Weston as the sole panelist in this matter on August 25, 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. Procedural Issue

Paragraph 10(b) of the Rules requires the Panel to ensure that the parties are treated with equality and that each party is given a fair opportunity to present its case. Paragraph 10(c) requires that the administrative proceeding takes place with due expedition.

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

The Panel is of the view that the proceeding should continue, having considered all the circumstances of the case. The Panel notes that the Center has used the Respondent's email address as registered with the Registrar for the purposes of notifying the Complaint. There is no evidence that the case notification email to this email address was not successfully delivered.

5. Factual Background

The Complainant is a United States company incorporated in May 1976 that operates a lighting, décor, and furniture business with 35 stores in the western United States and an online e-commerce presence. The Complainant holds United States Registration No. 1,405,715 for the word mark PRO TRACK registered on August 19, 1986, in class 11 for electric track lighting fixtures.

The Complainant operates an online store <lampsplus.com> to offer a significant range of PRO TRACK brand track lighting products.

The Disputed Domain Name was registered on October 5, 2025, and resolves to a webpage that is similar to the Complainant's main website, and displays the Complainant's trademark, including products with the same names as those sold by the Complainant, and uses images identical to those displayed on the Complainant's website.

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 says it has unregistered common law trademark rights for the trademark PRO TRACK and also cites its registration as prima facie evidence of ownership.

The Complainant submits that its rights in the mark PRO TRACK predate the Respondent's registration of the Disputed Domain Name the mark and that it "also sells its products on eBay, Amazon, and Walmart" and that its "products are widely advertised." The Complainant contends that "[a]s a result of the substantial sales of Pro Track branded products, and the considerable promotion and press coverage of the brand, consumers have come to associate such products as originating uniquely from Complainant." It submits that the Disputed Domain Name is confusingly similar to its trademark, because the Disputed Domain Name is comprised of the PRO TRACK trademark and that the addition of the word “lighting” and the generic Top-Level Domain (“gTLD”) “.com” is not sufficient to avoid the confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because the “Respondent is not a representative of the Complainant, has no business relationship with Complainant, does not have a license to use the Pro Track Marks, and is not authorized by Complainant to register any domain name incorporating the Pro Track Marks or any confusingly similar marks”, and that none of the circumstances set out in paragraph 4(c) of the Policy apply. The Complainant also submits that “Respondent’s use [on its website] of Complainant’s original copyrighted photos featuring its Pro Track products, and prominent display of the Pro Track Marks on its landing page and in its product descriptions” is not a legitimate or fair use under the Policy.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name was, and currently is, in bad faith, contrary to the Policy and the Rules having regard to evidence that points to awareness of the Complainant and its trademark. On the issue of registration in bad faith the Complainant submits that the Respondent had “both actual and constructive knowledge of Complainant’s rights to the Pro Track Marks”. On the issue of bad faith use, the Complainant submits that the “Respondent’s use of Complainant’s copyrighted photos, prominent display of the Pro Track Marks, and inclusion of statements demonstrating knowledge of Complainant’s authorized distribution channels and the proprietary nature of Complainant’s products constitute uncontroverted evidence that Respondent had actual knowledge of Complainant’s Pro Track Marks prior to registering the Disputed Domain Name in bad faith.”

B. Respondent

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

7. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

(i) that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(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.

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 Panel finds that the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. The requirements of the first element for purposes of the Policy may be satisfied by a trademark registered in any country. WIPO Overview 3.1, section 1.2.1. The Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark PRO TRACK.

Turning to whether the Disputed Domain Name is identical or confusingly similar to the PRO TRACK trademark, the Panel observes that the Disputed Domain Name is comprised of: (a) an exact reproduction of the Complainant’s trademark PRO TRACK; (b) followed by the word “lighting”; and (c) followed by the gTLD “.com”.

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1. The relevant comparison to be made is with the second-level portion of the Disputed Domain Name, specifically: "protracklighting".

The entirety of the mark is reproduced within the Disputed Domain Name with the word "lighting". 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 the term "lighting" may bear on assessment of the second and third elements in relation to the Disputed Domain Name, the Panel finds the addition of that 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 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 Disputed 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.

The Panel notes that the Complainant has not licensed or otherwise authorized the Respondent to use its trademark and that there is no relationship between the Complainant and the Respondent, let alone any accurate or prominent disclosure of that relationship, or absence of such, on its website. The Panel also notes that the composition of the Disputed Domain Name carries a risk of implied affiliation (see WIPO Overview 3.1, section 2.5.1).

The use of the Complainant's trademarks and the similarity of the Parties' respective websites suggests that the Respondent has deliberately targeted the Complainant. The Panel finds that the Respondent's activities do not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant's mark or capacity to otherwise mislead Internet user. Panels have held that the use of a domain name for illegitimate activity such as impersonation, copycat sites, 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.

Panels often apply the test set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903 ("the Oki Data requirements") when a respondent is using a disputed domain name to sell goods subject to a complainant's trademark rights. The test helps panels determine whether that respondent has legitimate interests in the disputed domain name and sets out four requirements:

- The respondent must actually be offering the goods or services at issue;
- The respondent must use the site to sell only the trademarked good;
- The site must accurately and prominently disclose the respondent's relationship with the trademark owner;
- The respondent must not try to "corner the market" in all domain names that reflect the trademark.

The Panel finds that the Respondent's website does not meet the OKI Data requirements as a legitimate seller or reseller of genuine goods as it does not directly offer the goods at issue but rather redirects Internet users by links that resolve to the Amazon website, and omits disclosure of the unauthorized nature of its relationship with the Complainant as the owner of the trademark. WIPO Overview 3.1, section 2.8.2.

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 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.

In the present case, the Panel finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Name in bad faith.

On the issue of registration, taking into account the composition of the Disputed Domain Name and the Complainant's distinctive trademark, the Panel is satisfied that the Respondent deliberately targeted the Complainant's trademark PRO TRACK when it registered the Disputed Domain Name. This Panel finds that there is no reason for the Respondent to have registered the Disputed Domain Name other than to trade off the reputation and goodwill of the Complainant's trademark. WIPO Overview 3.1, section 3.1.4.

Further, a gap of several years between registration of a complainant's trademark and respondent's registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name 39 years after the Complainant established registered trademark rights in the PRO TRACK trademark.

On the issue of use, the Complainant's evidence is that the Disputed Domain Name was used to host a website that imitates the Complainant's in numerous respects. Panels have held that the use of a domain name for illegitimate activity here, alleged impersonation copycat sites, or passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. The Complainant supplied evidence of the misleading website and the Panel finds they are confusingly similar in many respects. The Panel accepts that the display by the Respondent on its website of the Complainant's brands and its copyright images would be likely to compound the confusion. The webpage appears to contain links that redirect to a third-party website selling track lighting products that purport to be the Complainants. In the circumstances, having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under paragraph 4(b)(iv) of 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 <protracklighting.com> be transferred to the Complainant.

/Nicholas Weston/
Nicholas Weston
Sole Panelist
Date: September 8, 2026