ADMINISTRATIVE PANEL DECISION
Zero Proof International Limited v. Dynadot Privacy Service, Dynadot, LLC
Case No. D2026-3329

1. The Parties

The Complainant is Zero Proof International Limited, United Kingdom, represented by Pillsbury Winthrop Shaw Pittman LLP, United Kingdom.

The Respondent is Dynadot Privacy Service, Dynadot, LLC, United States of America.

2. The Domain Name and Registrar

The disputed domain name <lyresdrink.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 28, 2026. On July 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 29, 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 (Unknown / REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 amendment to the Complaint on July 29, 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 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 20, 2026.

The Center appointed Stefan Bojovic as the sole panelist in this matter on August 20, 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 producer of non-alcoholic drinks under the LYRE'S trademark.

The Complainant is the owner of the LYRE'S trademark which is protected by various trademark registrations, including the International Trademark Registration No. 1516110 for LYRE'S, registered on January 15, 2020.

The Complainant also owns domain name <lyres.com>, registered on April 29, 2000, which reflects its LYRE'S trademark and is used for the Complainant's principal website.

The disputed domain name was registered on June 25, 2026, and at the time of filing of the Complaint, it resolved to a website imitating the Complainant's official website and prominently reproducing the Complainant's LYRE'S trademark and other trademarks and product images, and purportedly offering the Complainant's products for sale. The Complainant has also submitted evidence showing that an attempt to access the website at the disputed domain name was blocked by security software and triggered a warning that the site could be a fake online shop.

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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's LYRE'S trademark because it incorporates the trademark in its entirety, omitting only the apostrophe, which cannot be represented in a domain name. The additional term "drink" is descriptive of the goods for which the Complainant's trademarks are registered and used and therefore increases the likelihood of confusion.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not authorized, licensed or otherwise permitted the Respondent to use the LYRE'S trademarks or to register any domain name incorporating those marks. The website to which the disputed domain name resolves reproduces the Complainant's LYRE'S trademarks, product imagery and branding and closely imitates the Complainant's official website. Such use is not a bona fide offering of goods or services and is not legitimate noncommercial or fair use. Rather, it is designed to create a false impression of association with, endorsement by, or affiliation with the Complainant.

With reference to the circumstances evidencing bad faith, the Complainant indicates that the Respondent was plainly aware of the Complainant and its LYRE'S trademarks when registering the disputed domain name, as evidenced by the extensive copying on the associated website. The Respondent has intentionally sought to create the false impression that the website is operated, authorized or affiliated with the Complainant in order to attract Internet users for commercial gain. The registration and use of the disputed domain name incorporating the Complainant's trademark for a copycat website designed to impersonate the Complainant and mislead consumers constitutes clear evidence of bad faith registration and use.

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 stipulates that the complainant must prove each of 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;

(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. 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.

The Panel finds the Complainant's trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms (here, the term "drink") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

In addition, it is well established that ".com", as a generic Top-Level Domain, is disregarded in the assessment of the confusing similarity between the disputed domain name and the trademark. WIPO Overview 3.1, section 1.11.1.

The Panel, therefore, finds that 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 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 notes that according to the record there is no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's LYRE'S trademark. There appears to be no element from which the Panel could infer the Respondent's rights or legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

At the time the Complaint was filed, the disputed domain name resolved to a website imitating the Complainant's official website and prominently reproducing the Complainant's LYRE'S trademark and other trademarks and product images, and purportedly offering the Complainant's products for sale, all without indicating its lack of relationship with the Complainant. Such use of the disputed domain name cannot constitute a bona fide offering of goods or services under the Policy. Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel also finds that the composition of the disputed domain name, which contains the Complainant's LYRE'S trademark in combination with the term "drink", carries a risk of implied affiliation. WIPO Overview 3.1, section 2.5.1. Namely, the additional term "drink" in the disputed domain name directly corresponds to the business activity of the Complainant, having in mind that its LYRE'S trademark is used for non-alcoholic drinks. Such composition of the disputed domain name, coupled with its use, affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant and its trademark.

Having in mind the above, 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 notes that the Respondent must have been well aware of the Complainant and its LYRE'S trademark at the time of the registration of the disputed domain name. Namely, the first registration and use of LYRE'S trademark predate the registration of the disputed domain name by years, making it unlikely that the Respondent was not aware of the Complainant's trademark at the time of registration of the disputed domain name. Furthermore, the content of the website to which the disputed domain name resolved, leaves no room for a doubt on the Respondent's knowledge of the Complainant and its LYRE'S trademark and evidences that the Respondent actually had the Complainant in mind when registering the disputed domain name.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

As discussed above, the disputed domain name resolved to a website imitating the Complainant's official website and prominently reproducing the Complainant's LYRE'S trademark and other trademarks and product images, and purportedly offering the Complainant's products for sale, without disclosing its lack of relationship with the Complainant. Such use of the disputed domain name cannot be regarded as a good-faith use. Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

In accordance with the above, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Therefore, 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 <lyresdrink.com> be transferred to the Complainant.

/Stefan Bojovic/
Stefan Bojovic
Sole Panelist
Date: August 20, 2026