ARBITRATION
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MEDIATION CENTER

WIPO
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ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
Lulu Press, Inc. v. Accp Yasir
Case No. D2026-3983

## 1. The Parties

The Complainant is Lulu Press, Inc., United States of America ("United States" or "US"), represented by Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP, United States.

The Respondent is Accp Yasir, Pakistan.

## 2. The Domain Name and Registrar

The disputed domain name <lulupublisherspress.com> is registered with Hostinger Operations, UAB (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 4, 2026. On September 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 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 (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 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 September 11, 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 September 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 7, 2026.

The Center appointed Federica Togo as the sole panelist in this matter on October 13, 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

It results from the Complainant's undisputed allegations that it is a company active in the publishing and printing sector.

The Complainant is the registered owner of US Trademark Registration No. 6185768 LULU, registered on October 27, 2020 (filing date: December 4, 2018) for goods and services in classes 9, 16, 35, 39, 40, 41, and 42.

It uses this trademark in connection with its online publication business, consisting of online print-on-demand and self-publishing of various types of media and other related services. The Complainant's patrons can also buy and sell published materials via the Complainant's online bookstore.

It also uses the domain name <lulu.com> for its official website.

The disputed domain name was registered on October 14, 2025. Furthermore, the evidence provided by the Complainant proves that at the time of filing the Complaint the disputed domain name resolved to a competing website allegedly offering competing services (i.e. online print-on-demand and self-publishing services for physical and digital books) with a similar appearance of the Complainant's website, including but not limited to the similar logo consisting of a stylized book.

## 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 trademark since it wholly incorporates the term "lulu". The additional words "publishers" and "press" are representative of the line of business that both the Complainant and the Respondent are in, which further confuses the Complainant's clients.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent has not been commonly known by the disputed domain name and does not hold any trademark or service marks in the disputed domain name. It has never been affiliated with the Complainant, nor has the Complainant given the Respondent permission to operate the disputed domain name or any affiliated sites. The Respondent targeted the Complainant's mark through the use of the disputed domain name, as the website was designed to appear as though it were the official webpage for the Complainant.

Furthermore, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, it was founded in 2002 and began using the <lulu.com> domain in 2002 and has used it continuously since then and filed its trademark for registration on December 4, 2018. Over the span of two decades, the Complainant has helped publish millions of authors and titles and has gained a reputation nationally in the United States as being a renowned and trusted entity in the publishing sector. Accordingly, the Respondent knew or should have known that the registration of the disputed domain name would be confusingly similar to the Complainant's trademark, domain name, and website. Indeed, the

disputed domain name is identical to the Complainant's domain name in all respects, except for the addition of the words "publishers" and "press". The Respondent uses the disputed domain name and website to engage in the same line of business and offer the same services as the Complainant, i.e., services related to the marketing, offering, and selling of online print-on-demand and self-publishing services for various types of media. The Respondent uses the disputed domain name as a lead generator. The Respondent intentionally registered and designed the disputed domain name to appear legitimate, attracting Internet users looking for the Complainant's genuine website and directly linking them to the Respondent's illegitimate website. In pursuit of commercial gain, the Respondent's actions created a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the services offered therein.

**B. Respondent**

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

## 6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to "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 requires a complainant to prove each of the following three elements in order to obtain an order that the disputed domain name be transferred or cancelled:

(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 has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

**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 is true that said trademark is a figurative trademark, containing a design element. However, although it is acknowledged that also such figurative marks would satisfy the requirement that a complainant show "rights in a mark", panels would tend to focus on the non-design elements for purposes of assessing confusing similarity. WIPO Overview 3.1, section 1.10.

The above test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the domain name. In the case at hand, the entirety of the mark's textual component "lulu" is reproduced 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.

Although the addition of other terms here, “publishers” and “press”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 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.

According to the Complaint, which has remained unchallenged, the Complainant has no relationship in any way with the Respondent and, in particular, did not authorize the Respondent’s use of its LULU trademark by registering the disputed domain name comprising the said trademark entirely, followed by the descriptive terms “publishers” and “press”, which relate to the Complainant’s field of commerce. In this regard, the Panel notes that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. WIPO Overview 3.1, section 2.5.1.

Furthermore, the Panel notes that there is no evidence showing that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

In addition, it results from the Complainant’s non-contested evidence that the disputed domain name resolves to a competing website allegedly offering competing services with a similar appearance of the Complainant’s website “www.lulu.com”, including but not limited to the similar logo consisting of a stylized book, which only furthers the likelihood that consumers could perceive a connection or association between the disputed domain name and the Complainant, of which there is none. The Panel further notes that, although the Respondent’s website contains a non-affiliation disclaimer at the very bottom of the page, the Panel finds such disclaimer does not dispel the misleading impression of association with the Complainant, as it is likely to go unnoticed by Internet users.

Since the use of the disputed domain name is intended for commercial gain to and carries a risk of user confusion, it cannot be considered a legitimate noncommercial or fair use of the disputed domain name pursuant to paragraph 4(c)(iii) of the Policy.

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 notes that it results from the Complainant's documented allegations that the disputed domain name (entirely including the Complainant's trademark LULU mark, partially including its company name - Lulu Press Inc. and the domain name <lulu.com>) resolves to a competing website allegedly offering competing services with a similar appearance of the Complainant's website. For the Panel, it is therefore evident that the Respondent knew the Complainant's mark and targeted it with the registration and use of the disputed domain name.

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 this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the Panel's findings that the Respondent has registered and is using the disputed domain name in bad faith:

(i) the nature of the disputed domain name (wholly incorporating the Complainant's mark followed by descriptive terms directly associated with the Complainant's core business);

(ii) the content of the website to which the disputed domain name resolves (i.e. competing website, with a similar appearance of the Complainant's website); and

(iii) a clear absence of rights or legitimate interests coupled with no explanation for the Respondent's choice of the disputed domain name.

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 <lulupublisherspress.com> be transferred to the Complainant.

*/Federica Togo/*
**Federica Togo**
Sole Panelist
Date: October 27, 2026