ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Signify North America Corporation v. thecloud islandes
Case No. D2026-4078

1. The Parties

Complainant is Signify North America Corporation, United States of America ("United States"), represented by Signify Intellectual Property, Netherlands (Kingdom of the).

Respondent is thecloud islandes, China.

2. The Domain Name and Registrar

The disputed domain name <lightolierco.com> is registered with Realtime Register B.V. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 10, 2026. On September 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 14, 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 ("Respondent name and address redacted according to whois look up tool.") and contact information in the Complaint. The Center sent an email communication to Complainant on September 15, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on September 15, 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 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. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on October 9, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on October 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

Complainant is a company organized under the laws of the United States that is active in the lighting industry.

Complainant has provided evidence that it is the registered owner of the following trademark registration relating to its LIGHTOLIER brand:

- Word trademark LIGHTOLIER, United States Patent and Trademark Office, registration number: 3676182, registration date: September 1, 2009, status: active.

Moreover, Complainant has demonstrated that it operates a website at “www.genlyte.com” through which it advertises, inter alia, its lighting products under the LIGHTOLIER brand.

Respondent, according to the Registrar verification, is located in China. The disputed domain name was registered on May 9, 2026. By the time of the rendering of this decision, the disputed domain name does not resolve to any active content on the Internet. Complainant, however, has demonstrated that, at some point before the filing of the Complaint (e.g., on September 10, 2026), the disputed domain name resolved to a website at “www.lightolierco.com” which displayed, inter alia, lighting products of Complainant’s competitors on the lighting market for sale under Complainant’s LIGHTOLIER trademark and related product names, thereby impersonating Complainant and its LIGHTOLIER business.

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

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Notably, Complainant contends that its LIGHTOLIER trademark has been in use since 1917, and that Complainant continues to spend significant amounts of time and money in developing, testing and promoting Complainant’s products offered under such trademark.

Complainant submits that the disputed domain name is confusingly similar to Complainant’s LIGHTOLIER trademark, as it incorporates the latter entirely, merely added by the element “co” which is a common abbreviation for “company”. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Respondent is not affiliated with Complainant and has neither been authorized or licensed to use its LIGHTOLIER trademark nor to register a domain name that corresponds thereto, (2) the website under the disputed domain name shows lighting products of Complainant’s competitors on the lighting market offered under a LIGHTOLIER product name, and (3) the Oki Data principles are not met, given that Respondent neither offers authentic LIGHTOLIER products nor does it accurately disclose the (non-existent) relationship between the Parties. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the disputed domain name has been registered long after the first use and registration of Complainant’s LIGHTOLIER trademark, and (2) the disputed domain name is used to gain a commercial advantage from Complainant’s LIGHTOLIER trademark by connecting it to a website that shows third-party lighting products in combination with commercial links to products that do not originate from Complainant, all while implying a relationship with Complainant’s business and its LIGHTOLIER products.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
(ii) that 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.

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

A. Identical or Confusingly Similar

First, 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 Complainant's LIGHTOLIER trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

Complainant has shown rights in respect of its LIGHTOLIER trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, merely added by the term "co", which is, as pointed out by Complainant, a common abbreviation for the term "company". Accordingly, the disputed domain name is confusingly similar to Complainant's LIGHTOLIER trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7. Although the addition of other terms (here, the term "co") may bear on assessment of the second and third elements, the Panel takes the view in line with other UDRP panels that the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and Complainant's LIGHTOLIER trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The Panel, therefore, finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

In particular, Respondent has not been authorized to use Complainant's LIGHTOLIER trademark, either as a domain name or in any other way. Also, Respondent's name obviously does not correspond with the disputed domain name, and Respondent does not appear to have any trademark rights associated with the term "lightolier" on its own. To the contrary, at some point before the filing of the Complaint (e.g., on September 10, 2026), the disputed domain name resolved to a website at "www.lightolierco.com" which displayed, inter alia, lighting products of Complainant's competitors on the lighting market for sale under Complainant's LIGHTOLIER trademark and related product names, thereby obviously impersonating Complainant and its LIGHTOLIER business. Such use of the disputed domain name, therefore, neither qualifies as bona fide offering of services nor as legitimate noncommercial or fair use within the meaning of the Policy, not even so under the so-called Oki Data principles which would have required Respondent, e.g., (1) to only sell Complainant's LIGHTOLIER products, and (2) to accurately and prominently disclose on such website the nonexistent relationship between Respondent and Complainant as the LIGHTOLIER trademark holder, which Respondent clearly did not. WIPO Overview 3.1, section 2.8. Besides, UDRP panels have long held that the use of a domain name for illegitimate/illegal activity (here, Complainant's impersonation / passing off) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel, therefore, finds the second element of the Policy has been established, too.

C. Registered and Used in Bad Faith

Third, 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.

The circumstances of this case leave no doubt that Respondent was fully aware of Complainant's rights in its LIGHTOLIER trademark when registering the disputed domain name and that the latter is clearly directed thereto. Moreover, using the disputed domain name, which is at least confusingly similar to Complainant's LIGHTOLIER trademark, to operate a website at "www.lightolierco.com" which displays, inter alia, lighting products of Complainant's competitors on the lighting market for sale under Complainant's LIGHTOLIER trademark and related product names, thereby obviously impersonating Complainant and its LIGHTOLIER business absent any disclaimer on the nonexistent relationship between the Parties, is a clear indication that Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with Complainant's LIGHTOLIER trademark as to the source, sponsorship, affiliation or endorsement of Respondent's website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. Besides, UDRP panels also have long held that the use of a domain name for illegitimate/illegal activity (here, Complainant's impersonation / passing off) constitutes bad faith. WIPO Overview 3.1, section 3.4.

The Panel, therefore, finds that Complainant has established the third element of the Policy, too.

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, <lightolierco.com>, be transferred to Complainant**.**

/Stephanie G. Hartung/
Stephanie G. Hartung
Sole Panelist
Date: November 2, 2026