

ADMINISTRATIVE PANEL DECISION

Fitness International, LLC v. Pinkesh Zaveri, Omnipractice Inc
Case No. DAI2026-0010

1. The Parties

The Complainant is Fitness International, LLC, United States of America (“United States”), represented by Neal & McDevitt, United States.

The Respondent is Pinkesh Zaveri, Omnipractice Inc, United States.

2. The Domain Name and Registrar

The disputed domain name <lafitness.ai> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 13, 2026. On February 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 16, 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 (Name Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 18, 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 February 23, 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 February 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2026. On March 2, 2026, the Complainant forwarded the emails between the Parties to the Center. The Respondent did not submit any formal response. Accordingly, the Center notified the commencement of panel appointment process on March 18, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on March 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. Factual Background

The Complainant is a chain of health fitness centers founded in 1984 in the United States. By 2010, the Complainant had expanded to 340 locations with USD 1 billion in revenue for the year. Currently, the Complainant operates approximately 700 centers and has 10,000 employees across the United States and Canada. The Complainant owns a number of trademark registrations to the LA FITNESS/L.A. FITNESS mark, including United States Trademark Registration Number 1806464 for L.A. FITNESS registered on November 23, 1993, Canadian Trademark Registration Number TMA754146 for L.A. FITNESS registered on November 27, 2009, Japanese Trademark Registration Number 1211180 for LA FITNESS registered on May 22, 2014, and Mexican Trademark Registration Number 767659 for LA FITNESS registered on October 31, 2002.

According to information provided by the Registrar, the Respondent is an individual at an entity called Omnipractice Inc located in the United States.

The disputed domain name was registered on November 4, 2024, and resolves to a website advertising a commercial fitness-related business by the name of "LA Fitness", while displaying the LA FITNESS at the top center of the page, a photo of an interior of a gym, the text "Copyright © 2025 LA Fitness – All Rights Reserved" at the footer, the slogan "Get Fit, Stay Active" over a large banner image, and an interactive form for collecting inquiries from users regarding the website's services.

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 identical to the LA FITNESS mark in which it has rights.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that the Respondent used the disputed domain name to put up an imitation site to trade off of the Complainant's valuable goodwill in the mark, which is not a bona fide offering of goods or services.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that given the fame of the LA FITNESS mark, it is implausible to believe that the Respondent was not aware of the mark at the time of registration. Rather, the Complainant contends that the circumstances of the case show that there was bad faith registration, specifically, that the Respondent used the disputed domain name to set up a website imitating the Complainant to pass itself off as the Complainant and divert Internet users seeking the Complainant to the Respondent's website. The Complainant further contends that the lack of any disclaimer or indication of non-affiliation further reinforces the likelihood of confusion and bad faith use of the Complainant. In addition, the Complainant contends that when it contacted the Respondent for transfer of the disputed domain name, the Respondent requested payment of USD 5,000. The Complainant contends that this is an excessive amount costs and demonstrates bad faith of the Respondent, namely, that the Respondent registered the disputed domain

name primarily for the purpose of selling it to the Complainant for valuable consideration in excess of the Respondent's documented out-of-picket costs directly related to the disputed domain name.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. According to the emails forwarded by the Complainant, the Respondent replied to the Complainant's email after the filing of the Complaint, stating: "We bought the domain. We are happy to transfer the domain for a fee. Would you like to make a fair offer?" and "We can settle this for \$5000. Sounds fair?"

6. Discussion and Findings

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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.

Furthermore, the Respondent is using the disputed domain name to display a website confusingly similar to the official website of the Complainant which indicates that the Respondent passed itself off as the Complainant. 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 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 the Respondent registered the disputed domain name containing the Complainant's mark, and linked it to a website displaying the LA FITNESS mark advertising fitness-related services. Based on this use, it is highly unlikely for the Respondent to have registered the disputed domain name by chance. Rather, the Panel finds that the Respondent most likely was aware of the Complainant and its trademark and targeted the Complainant by registering the disputed domain name.

Further, Panels have found that the mere registration of a domain name that is confusingly similar to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), Section 3.1.4.

Panels have also 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 constitutes bad faith under 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 <lafitness.ai> be transferred to the Complainant.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: April 8, 2026