

ADMINISTRATIVE PANEL DECISION

Jones Lang LaSalle IP, Inc. v. 杨智超 (Zhichao Yang)
Case No. D2022-3537

1. The Parties

The Complainant is Jones Lang LaSalle IP, Inc., United States of America (“U.S.”), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is 杨智超 (Zhichao Yang), China.

2. The Domain Name and Registrar

The disputed domain name <joneslanglasall.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 24, 2022. On September 26, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 27, 2022, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on September 29, 2022, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. On the same day, the Center transmitted another email communication to the Parties in English and Chinese regarding the language of the proceeding. The Complainant filed an amended Complaint in English on October 3, 2022 which included a request for English be the language of the proceeding. The Respondent did not comment on the language of the proceeding.

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 in English and Chinese of the Complaint, and the proceedings commenced on October 5, 2022. In accordance with the Rules, paragraph 5, the due date for Response was October 25, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 27, 2022.

The Center appointed Francine Tan as the sole panelist in this matter on November 7, 2022. 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, Jones Lang LaSalle IP, Inc., is a wholly owned subsidiary of Jones Lang LaSalle Incorporated. Jones Lang LaSalle Incorporated and all its consolidated subsidiaries are in the JLL Group. The JLL Group's common stock is listed on the New York Stock Exchange. The JLL Group is headquartered in Chicago, Illinois. It provides investment services in the real estate industry. The JLL Group was formed by the merger of Jones Lang Wootton and LaSalle Partners in 1999. Since 2014, the Complainant has marketed its services under the name JLL.

The Complainant states that the JLL Group is an industry leader in property and corporate facility management services, with a portfolio of 5 billion square feet worldwide. It has a worldwide workforce count of approximately 91,000 serving clients in over 80 countries from more than 300 corporate office locations worldwide. LaSalle Investment Management, the Complainant's investment management business, is one of the world's largest and most diverse in real estate with an annual revenue of USD 16.6 billion. In 2020, the JLL Group reported a revenue of USD 6.1 billion.

The JLL Group achieved Fortune 500 status in 2015 and was recognized by Fortune Magazine as one of the "World's Most Admired Companies" in 2022 for the seventh consecutive year.

The Complainant owns trademark registrations across various jurisdictions including in China, the U.S., and the European Union. In China, the JONES LANG LASALLE mark is registered under Registration Nos. 1475951 (registration date: November 14, 2000), 1754470 (registration date: April 21, 2002), and 2024213 (registration date: September 21, 2002).

The JLL Group is the owner of numerous domain names which incorporate the JONES LANG LASALLE trademark including <joneslanglasalle.com> which was registered on December 3, 1998. The JLL Group maintains 100 websites globally and has a strong social media presence. Its Twitter page has over 83,400 followers and its LinkedIn page has over 1,547,000 followers.

The disputed domain name was registered on December 17, 2021. At the time of filing of the Complaint, the disputed domain name resolved to a parking page which reflected links to "Real Estate Investing", "Investment Property", and "Commercial Real Estate Investing".

5. Parties' Contentions

A. Complainant

The disputed domain name is confusingly similar to the Complainant's JONES LANG LASALLE trademark, being a purposeful misspelling thereof. The Respondent is "typosquatting" on the Complainant's JONES LANG LASALLE trademark by the omission of the letter "e" in "lasalle".

The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not sponsored by or affiliated with the Complainant in any way. The Complainant has not permitted the Respondent to use the JONES LANG LASALLE trademark in any manner, including in a domain name. The Respondent is not commonly known by the disputed domain name. The Respondent is using the disputed domain name to redirect Internet users to a website featuring links to third-party websites, some of which directly compete with the Complainant's business. Presumably, the Respondent receives pay-per-click ("PPC") fees from the linked websites. Such use of the disputed domain name does not constitute a *bona*

vide offering of goods or services nor a legitimate noncommercial or fair use under the Policy. The disputed domain name is also being offered for sale for USD 7,999, an amount that far exceeds the Respondent's out-of-pocket expenses in registering the disputed domain name. This is further evidence of the Respondent's lack of rights or legitimate interests in the disputed domain name. The disputed domain name was registered long after the Complainant registered its domain name <joneslanglasalle.com> and trademarks.

The disputed domain name was registered and is being used in bad faith. The JONES LANG LASALLE trademarks are known internationally, with trademark registrations across many countries. The Complainant has marketed and sold its goods and services under the JONES LANG LASALLE mark since March 3, 1999. The misspelling of the Complainant's JONES LANG LASALLE mark in the disputed domain name shows that the Respondent is very familiar with the Complainant's brand and business. The PPC links lead Internet users to third-party websites which offer services which compete with the Complainant. This is further evidence of the Respondent's familiarity with the JONES LANG LASALLE brand and the industry in which the Complainant operates. The registration of the disputed domain name which contains a misspelling of the Complainant's well-known JONES LANG LASALLE trademark is evidence of bad faith registration and use.

Additionally, there is evidence that the Respondent currently holds registrations for several other domain names that misappropriate the well-known trademarks of third-party businesses. The pattern of conduct of cybersquatting/ typosquatting is evidence of bad faith registration and use. The Respondent also failed to respond to a cease-and-desist letter which the Complainant sent in February 2022. Reminders sent to the Respondent were ignored.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The Registrar has confirmed that the Registration Agreement of the disputed domain name is in Chinese. The Complainant requested, nonetheless, for the language of the proceeding be English for these main reasons:

- (i) the Complainant is unable to communicate in Chinese. Requiring a Chinese translation of the Complainant to be prepared would unfairly burden the Complainant and delay the proceeding;
- (ii) The disputed domain name is comprised of Latin letters;
- (iii) The parking page to which the disputed domain name resolves show links which are in English; and
- (iv) The Complainant sent three cease-and-desist letters to the Respondent. The Respondent had ample time and opportunity to respond to the letters and request that communications be in Chinese. No such request nor any response was made.

Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Panel is able to determine which language of the proceeding should apply, having regard to all the circumstances (paragraph 11(a) of the Rules). The Panel has to ensure fairness to the parties and allow for an inexpensive and expeditious way for the resolution of domain name disputes (paragraphs 10(b) and (c) of the Rules) when considering the issue of the language of the proceeding.

In this connection, the Panel refers to the following guidance notes set out in the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), at section 4.5.1:

"[...] panels have found that certain scenarios may warrant proceeding in a language other than that of the registration agreement. Such scenarios include (i) evidence showing that the respondent can understand the language of the complaint, (ii) the language/script of the domain name particularly where the same as that of the complainant's mark, (iii) any content on the webpage under the disputed domain name, (iv) prior cases involving the respondent in a particular language, (v) prior correspondence between the parties, (vi) potential unfairness or unwarranted delay in ordering the complainant to translate the complaint, (vii) evidence of other respondent-controlled domain names registered, used, or corresponding to a particular language, [...] or (x) other indicia tending to show that it would not be unfair to proceed in a language other than that of the registration agreement.

[...]

Where it appears the parties reasonably understand the nature of the proceedings, panels have also determined the language of the proceeding/decision taking account of the panel's ability to understand the language of both the complaint and the response such that each party may submit pleadings in a language with which it is familiar."

The Respondent did not respond on the issue of the language of the proceeding.

The disputed domain name contains the Complainant's JONES LANG LASALLE trademark in its entirety, albeit with a minor misspelling. The content on the parking page is all in English. These circumstances show that the Respondent is familiar and comfortable with the English language. In the light of this, it would not be prejudicial to the Respondent if English were to be adopted as the language of the proceeding. On the other hand, the proceeding would be unduly delayed if the Complaint had to be translated into Chinese. The costs relating to such translation work would far exceed the cost of initiating the administrative proceeding. The Respondent could have stated his objections, if any, on the issue but failed to respond to the Complaint and to the Center, which sent communications in both English and Chinese.

The Panel therefore determines it appropriate for English to be the language of the proceeding.

A. Identical or Confusingly Similar

The Complainant has established it has rights in the JONES LANG LASALLE trademark. The trademark is reproduced in its entirety in the disputed domain name and recognizable, even if misspelled. The Panel agrees that the misspelling does not prevent a finding of confusing similarity with the Complainant's JONES LANG LASALLE trademark. (See section 1.9 of the [WIPO Overview 3.0](#).) The disputed domain name is therefore confusingly similar to the Complainant's JONES LANG LASALLE trademark.

The Panel accordingly finds that the first element of paragraph 4(a) of the Policy has been satisfied.

B. Rights or Legitimate Interests

The Complainant has established a *prima facie* case that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant's trademark registrations for JONES LANG LASALLE, which include registrations in China where the Respondent appears to be located, and many years of use long predate the registration of the disputed domain name. There is no evidence that any license or authorization has been extended by the Complainant to the Respondent for the use of the JONES LANG LASALLE trademark in a domain name. Neither is there evidence that the Respondent is commonly known by the name "Jones Lang Lasall" or the disputed domain name. The use of the disputed domain name leading to a parking page with PPC links to third-party websites that offer competing services does not constitute a *bona fide* offering of goods or services.

The Respondent failed to respond or rebut the Complainant's *prima facie* case.

The Panel therefore finds that the second element of paragraph 4(a) of the Policy has been satisfied.

C. Registered and Used in Bad Faith

The Complainant's JONES LANG LASALLE trademark is such a well-known mark that the Respondent could not by pure coincidence have registered the disputed domain name without the Complainant and/or its mark in mind. The circumstances in this case indicate bad faith registration and use. These circumstances include:

“(i) the respondent's likely knowledge of the complainant's rights,

(ii) the distinctiveness of the complainant's mark,

(iii) a pattern of abusive registrations by the respondent,

(iv) website content targeting the complainant's trademark, e.g., through links to the complainant's competitors [...]”.

(See section 3.1.1 of the [WIPO Overview 3.0](#).)

The Respondent has also offered the disputed domain name for sale for USD 7,999 on the Afternic website.

Moreover, UDRP panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith (see section 3.1.4 of the [WIPO Overview 3.0](#)).

The Panel accordingly finds that the third element of paragraph 4(a) of the Policy has been satisfied.

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 <joneslanglasall.com> be transferred to the Complainant.

/Francine Tan/

Francine Tan

Sole Panelist

Date: November 16, 2022