

## **ADMINISTRATIVE PANEL DECISION**

Aston Martin Lagonda Limited v. Paul Woods, xn--astnmartin-gcb.com  
Case No. D2025-2139

### **1. The Parties**

The Complainant is Aston Martin Lagonda Limited, United Kingdom, represented by J A Kemp., United Kingdom.

The Respondent is Paul Woods, xn--astnmartin-gcb.com, United States of America.

### **2. The Domain Name and Registrar**

The disputed domain name <astönmartin.com> (<xn--astnmartin-gcb.com>) is registered with Squarespace Domains II LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 30, 2025. On June 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on June 4, 2025, providing the registrant and contact information disclosed by the Registrar, and informing the Complainant that the Center will proceed with the formal commencement of the administrative proceeding by June 6, 2025.

The Center verified that 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 June 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 27, 2025.

The Center appointed Ada L. Redondo Aguilera as the sole panelist in this matter on July 3, 2025. 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 Aston Martin Lagonda Limited, a private limited company registered in England and Wales with its registered office located in Warwick, United Kingdom.

Founded in 1913 in the United Kingdom, the Complainant's ASTON MARTIN trademark is a worldwide automotive and luxury trademark which has over 150 licensed dealerships in over 50 countries. Almost all of the Complainant's vehicles sold since its foundation have been sold under the trademark ASTON MARTIN, which has become the Complainant's main brand, and have featured this trademark visibly reproduced on the vehicles.

According to the evidence presented in this case by the Complainant, the Complainant is the owner of the ASTON MARTIN trademark in the following jurisdictions:

- a. International Trademark Registration No. 1139179, registration date July 6, 2011. The registration has been renewed.
- b. European Union Trademark Registration No. 008367815, registration date March 16, 2010. The registration has been renewed.
- c. United Kingdom Trademark Registration No. UK00908367815, registration date March 16, 2010. The registration has been renewed.
- d. United States of America Trademark Registration No. 4024407, registration date September 13, 2011. The registration has been renewed.

The Complainant is also the owner of the domain name <astonmartin.com> which was registered on June 15, 1995, and hosts the Complainant's official website.

This disputed domain name <astönmartin.com> (<xn--astnmartin-gcb.com>) was registered on January 23, 2025. The disputed domain name resolves to an inactive webpage.

#### **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 its ASTON MARTIN trademark since it includes the Complainant's trademark in its entirety, differing by one accented character from the Complainant's trademark and domain name. Also, the Complainant argues that the Respondent has no rights or legitimate interests concerning the disputed domain name, and finally, that the Respondent registered and was using the disputed domain name in bad faith. The Complainant requests the transfer of the disputed domain name.

##### **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; and
- (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 Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.7

The Complainant has shown rights in respect of the trademark ASTON MARTIN for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

In the present case, the disputed domain name incorporates the entirety of the Complainant’s ASTON MARTIN trademark only, differing by one accented character from the Complainant’s trademark. Accordingly, the disputed domain name is confusingly similar to the Complainant’s trademark under the Policy. [WIPO Overview 3.0](#), section 1.7. In this case, the only difference in the disputed domain name is the “ö”, which does not prevent a finding of confusing similarity.

A domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Examples of such typos include the use of non-Latin internationalized or accented characters. [WIPO Overview 3.0](#), section 1.9.

Additionally, it is well established that the generic Top-Level Domain (“gTLD”) (in this case “.com”) is generally disregarded when considering whether a disputed domain name is confusingly similar to the trademark in which the complainant has rights. [WIPO Overview 3.0](#), section 1.11.1 states that “the applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘. club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusion similarity test”.

The Panel 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 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. Therefore, 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case where 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, the Complainant has not authorized or granted a license to the Respondent to use its trademarks. Furthermore, the Respondent is not sponsored by or affiliated with the Complainant in any way, nor is the Respondent commonly known by the disputed domain name. Furthermore, in the present case, there was no evidence that could demonstrate that the Respondent was preparing to use the disputed domain name corresponding to it in connection with a bona fide offering of goods or services before receiving notice of the dispute. The Respondent is also not making any legitimate noncommercial or fair use of the trademark, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's ASTON MARTIN trademark.

Based on the evidence provided, the disputed domain name is not currently in use and does not resolve to any active website. However, passive holding does not constitute a bona fide use of the disputed domain name under the circumstances presented in this case.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case where 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.

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 which 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 disputed domain name is confusingly similar to the Complainant's trademark, which was registered before the registration of the disputed domain name. Given the well-established reputation of the Complainant's ASTON MARTIN trademarks in respect of cars and automobiles, it is unlikely that the Respondent selected the disputed domain name by chance.

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 3.0](#), section 3.2.1. Circumstances indicating that a domain name was registered for the bad-faith including the nature of the domain name (e.g., whether a typo of a famous mark, a domain name wholly incorporating the relevant mark plus a geographic term or one related to the complainant's area of commercial activity, or a pure dictionary term) and the distinctiveness of the trademark at issue, among other factors, are relevant to this inquiry. [WIPO Overview 3.0](#), section 3.1.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain name that targets the Complainant, the fact that the Respondent failure to submit a response to the

Complaint, and finds that, in the present circumstances, including the passive holding of the disputed domain name, does not prevent a finding of bad faith under the Policy.

For all the foregoing reasons, the Panel finds that the disputed domain name was registered and has been used in bad faith.

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 <astönmartin.com> (<xn--astnmartin-gcb.com>) be transferred to the Complainant.

*/Ada L. Redondo Aguilera/*

**Ada L. Redondo Aguilera**

Sole Panelist

Date: July 17, 2025