

ADMINISTRATIVE Panel DECISION

Lennar Pacific Properties Management, LLC and Lennar Corporation v. Jorge Fleites, Fade county barbershop
Case No. D2026-1679

1. The Parties

Complainants are Lennar Pacific Properties Management, LLC, and Lennar Corporation, United States of America (“United States”), represented by Slaters Harwell Campbell, LLP, United States.

Respondent is Jorge Fleites, Fade county barbershop, United States, self-represented.

2. The Domain Name and Registrar

The disputed domain name <cubanlennar.com> (hereinafter “Disputed Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 20, 2026. On April 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 21, 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 (Registration Private / Domains By Proxy, LLC / DomainsByProxy.com) and contact information in the Complaint. The Center sent an email communication to Complainants on April 22, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 22, 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 Respondent of the Complaint, and the proceedings commenced on April 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 13, 2026. Respondent sent email communications to the Center on April 22, May 18 to May 26, 2026. On May 20, 2026, the Center sent an email regarding possible settlement to the Parties, Complainant did not request to suspend the proceedings by May 26, 2026.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on May 26, 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.

Procedural Matters - Consolidation of Complainants

Complainants request consolidation of their claims against Respondent.

Complainants are related companies based in Miami Florida. Complainant Lennar Pacific Properties Management, LLC is the owner/licensor and Lennar Corporation is the licensee of the LENNAR trademark (hereinafter the "Mark"). Given that Complainants are related and share a common grievance and that Respondent's conduct has affected them similarly, the Panel finds that it would be equitable and efficient to allow the consolidation of Complainants' claims. Accordingly, pursuant to paragraph 10(e) of the Rules, the Panel grants Complainants' request to consolidate their claims. See *generally* WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("[WIPO Overview 3.1](#)") at section 4.11.

Complainants will be collectively referred to as "Complainant" (singular) in the discussion below.

4. Factual Background

Complainant's predecessor started the company in 1954 in Miami Florida. Complainant adopted the Mark, which is a portmanteau of the first names of two of the company's founders, Leonard M. Miller and Arnold Rosen, in 1971. According to the "History" section of Complainant's website, Complainant was listed on the New York Stock Exchange (NYSE: LEN) in 1972. After a merger in 2018, Complainant became one of the largest homebuilders in the United States,¹ building and selling homes in twenty-one states in the United States. *Lennar Corporation and Lennar Pacific Properties Management, LLC v. Jamie Douglas*, WIPO Case No. [D2025-4104](#).

Complainant owns two registrations for the Mark:

- United States: Reg. No. 3,108,401, registered June 27, 2006, and;
- United States: Reg. No. 3,477,143, registered July 29, 2008.

Complainant publishes information about its services at its website under the domain name <lennar.com>.

The Disputed Domain Name was created on March 7, 2026. It resolves to a "coming soon" webpage with no active content.

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 alleges that Respondent uses the Disputed Domain Name to "impersonate Complainants, presumably for fraud and commercial gain" and that "the Domain redirects to a malicious

¹ See <https://www.lennar.com/about/history>, visited June 1, 2026. This is sufficient evidence to support Complainant's allegation that the Mark is well known, but in future proceedings Complainant should consider adding additional evidence to support a finding that a respondent was probably aware of Complainant's trademark. See, e.g., <https://investors.lennar.com/press-releases/2024/12-18-2024-213041323>.

phishing website collecting and harvesting email addresses, confusing consumers and/or defrauding consumers in an effort to appear legitimate and gain customer information.” Complainant further alleges that the Disputed Domain Name “has been verified as a malicious phishing website confusing consumers in an attempt to harvest emails and/or defrauding consumers in an effort to appear legitimate.”

B. Respondent

Respondent did not submit a response to the Complaint. However, on May 18, after the May 13 due date for a response, Respondent sent an email to Complainant and the Center, stating, “I said I’ll sell it to you not sure what else are you guys wanting”. A day later, on May 19, Respondent offered to “gift” the Disputed Domain Name to Complainant. Complainant responded with a standard form settlement agreement that transferred the Disputed Domain Name to Complainant. Respondent responded “initiate sale settlement negotiations...” The Center informed Respondent that “if you agree to settle the dispute, kindly sign the attached Settlement Form ...” Respondent replied, “what is your dispute amount offer. ...make a just offer...” On May 23, Respondent stated in an email “Lennar was my deceased grandfather’s name and he was Cuban what else do you want from me...” Respondent repeated his demand for an offer several times, but Complainant made no offer.

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 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.

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 and recognizable within the Disputed Domain Name. Where, as here, Complainant’s trademark is recognizable within the Disputed Domain Name, the addition of a geographical, term—here “Cuban”—does not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.8. Accordingly, the Disputed Domain Name is confusingly similar 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 Respondent may demonstrate rights or legitimate interests in a Disputed Domain Name.

Although the overall burden of proof in UDRP proceedings is on 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 Respondent. As such, where a complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, 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.

On May 23, Respondent's statement in his May 23 email that "Lennar was my deceased grandfather's name and he was Cuban..." is not sufficient to establish a legitimate interest. There is no evidence supporting Respondent's statement. Respondent sent the email message after the due date for a response and without the certification as required by Rule 5(c)(viii). Moreover, Respondent's name is not "Lennar" and there is no evidence he is commonly known as "Lennar," much less "Cuban Lennar." There is no evidence that Respondent has made demonstrable preparations to use the Disputed Domain Name solely for its surname value rather than to exploit the trademark value of Complainant's well-known Mark. *Compare S.C. ALTOM CONSULTING S.R.L. v. Domain Administrator, PortMedia and Moniker Privacy Services*, WIPO Case No. [D2012-1326](#) (Complaint denied where more likely respondent registered the disputed domain name for its value as a common Irish name).

In short, Respondent has failed to come forward with relevant evidence demonstrating rights or a legitimate interest.

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

Although the Panel finds that Complainant has satisfied the second element of the Policy, the Panel is not persuaded that Complainant has proved that Respondent has engaged in phishing or fraudulent activity. Complainant has not submitted any evidence to support its allegations of fraud or phishing. Mere allegations are not sufficient. Where, as here, Complainant alleges that the fraudulent activity has been "verified," Complainant should offer the verifying evidence with a request that the Panel not include details of the fraudulent techniques in the published opinion. Mere allegations of fraudulent phishing will not suffice.

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.

The Panel finds that Respondent registered the Disputed Domain Name in bad faith. The Mark is well known. Complainant is one of the largest home builders in the United States. Complainant is based in Miami where there is a large Cuban population. The Panel finds that it is more likely than not that Respondent was aware of Complainant's rights in the Mark and intended to use the Disputed Domain Name to impersonate an affiliate relationship with Complainant.

The Panel also finds that Respondent has used the Disputed Domain Name in bad faith. Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant's trademark, and the composition of the Disputed Domain Name, and finds that in the circumstances of this case the passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy.

The evidence also supports an inference that Respondent "registered ... the domain name primarily for the purpose of selling ... the domain name registration to Complainant who is the owner of the trademark ... for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name." Policy 4(b)(i). Although Respondent responded by email in response to the Complaint that he was willing to "gift" the Disputed Domain Name to Complainant, he insisted on a payment offer and ignored repeated requests that he sign required documentation to transfer the Disputed Domain Name, repeatedly demanding a payment offer. Respondent's repeated demand for a money offer is evidence that he meant to

hold the Disputed Domain Name hostage until Complainant offered a payment likely in excess of his expenses. This is bad faith use under Policy 4(b)(i).

The Panel finds that 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 <cubanlennar.com> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: June 3, 2026.