

ADMINISTRATIVE PANEL DECISION

LEGO Juris A/S v. gacoan 88, no have
Case No. D2024-5161

1. The Parties

Complainant is LEGO Juris A/S, Denmark, represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is gacoan 88, no have, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <tokolego.site> 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 December 16, 2024. On December 16, 2024, the Center transmitted by e-mail to the Registrar a request for registrar verification in connection with the disputed domain name. On December 16, 2024, the Registrar transmitted by e-mail 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) and contact information in the Complaint. The Center sent e-mail communication to Complainant on December 18, 2024, 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 December 19, 2024.

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 on the Complaint, and eventual proceedings commenced on January 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 23, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on January 24, 2025.

The Center appointed Gilberto Martins de Almeida as the sole panelist in this matter on February 4, 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 Lego Juris A/S, a well-known company in the toy business, that was founded in 1932. As for its relevant trademarks, Complainant has shown rights in the LEGO trademark since July 23, 1992, in Cambodia under the registration number 899; in the United States of America under registration number 1018875, registered on August 26, 1975; and in Denmark under registration number VR195400604 since May 1, 1954, as per Annex 3 to the Complaint.

In addition, Complainant also registered and operates under the domain name <lego.com> since 1995, as per Annex 7 to the Complaint. As for the disputed domain name, the registration occurred on September 28, 2024.

With regard to Respondent, the Panel has not been able to find relevant information, although it has been evidenced by the Complainant that the disputed domain name was being used to redirect users to a different website which offered grocery products unrelated to Complainant, as per Annex 8.1 of the Complaint. The disputed domain name also resolved to a pay-per-click (“PPC”) page.

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, as per prior UDRP decisions such as *Victoria Beckham v. David James*, WIPO Case No. [D2017-0035](#), and *Tata Sons Limited v. TATA Telecom Inc/Tata-telecom.com, Mr. Singh*, WIPO Case No. [D2009-0671](#), the redirection of users to a different, unrelated website, even if it does not derive commercial benefit therefrom, is not legitimate. Also, the large popularity of Complainant’s trademark, makes it highly likely that Respondent was aware of Complainant’s ownership of the brand at the time of the registration of the disputed domain name.

B. Respondent

Respondent did not reply to Complainant’s contentions.

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 Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.7.

Complainant has shown rights in respect of the LEGO trademark for purposes of the Policy. As per Annex 3 to the Complaint, Complainant holds multiple trademark registrations globally, since 1954. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name reproduces the LEGO trademark in its entirety and thus, the Panel finds that the disputed domain name is confusingly similar to Complainant's trademark.

Although the addition of the term "toko", meaning "shop" in Indonesian, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the trademark for purposes of the Policy.

[WIPO Overview 3.0](#), section 1.8.

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 relation to 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 3.0](#), section 2.1.

Having reviewed the available records, 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 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.

The Panel notes the composition of the disputed domain name, reproducing Complainant's well-known LEGO trademark with the added term "toko" meaning "shop" in Indonesian, to redirect users to a website offering grocery products unrelated to Complainant. The Panel finds that such use cannot be considered a bona fide offering of goods and/or services, as Respondent is misdirecting Internet users to its website for commercial gain by creating a likelihood of confusion with Complainant's mark.

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

C. Registered and Used in Bad Faith

The Panel notes that, for purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes certain circumstances which, in particular, but without limitation, 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 Respondent, by registering the disputed domain name comprised of the well-known LEGO trademark and by using it to redirect users to a website offering grocery products unrelated to Complainant, as per the examples of bad faith under paragraph 4(b)(iv) of the Policy, has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant's trademark.

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 <tokolego.site> be transferred to Complainant.

/Gilberto Martins de Almeida/

Gilberto Martins de Almeida

Sole Panelist

Date: February 15, 2025