

ADMINISTRATIVE PANEL DECISION

La Vie Bobo, LLC v. Mays Lawrence
Case No. D2025-0368

1. The Parties

The Complainant is La Vie Bobo, LLC, United States of America (“United States” or “U.S.”), represented by D H Cavanaugh Associates, United States.

The Respondent is Mays Lawrence, Singapore.

2. The Domain Name and Registrar

The disputed domain name <laznecklace.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 30, 2025. On January 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 31, 2025, 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 (John Doe / Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 12, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not file an amendment to the Complaint.

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 February 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 19, 2025.

The Center appointed Knud Wallberg as the sole panelist in this matter on March 27, 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 a high-end jewelry designer, that was founded by creative director & designer Jesse Marlo Lazowski. The Complainant sells its jewelry under the brand name MARLO LAZ, and since its launch in 2014, the Complainant has become internationally known for its bohemian-inspired fine jewelry, which is available online through the Complainant's own website "www.marlolaz.com" and in stores in New York city, as well as through many well-known online retailers such as Net-A-Porter.

MARLO LAZ is registered as trademark in the United States, U.S. Trademark Registration No. 5,746,752 registered on May 7, 2019, for jewelry in Class 14.

The disputed domain name was registered on October 6, 2023.

The disputed domain name initially resolved to a website, which purported to offer genuine MARLO LAZ jewelry, inter alia by reproducing pictures from the Complainant's website. Currently, the disputed domain name does not resolve to an active website.

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 the Complainant's registered MARLO LAZ mark, because it incorporates LAZ in its entirety and combines it with "necklace".

Furthermore, the Respondent is not commonly known by the disputed domain name. It has never had any contact with the Complainant, nor has it ever acquired registered user rights in the United States and has therefore never received any rights in the disputed domain name, just as there is no evidence that the Respondent is making any legitimate noncommercial or fair use of the disputed domain name.

Finally, the Complainant contends that the Respondent has registered or used the disputed domain name primarily for the purpose of marketing and offering for sale counterfeit and pirated copies of the Complainant's jewelry. The website to which the disputed domain name resolved also incorporated pirated copies of photographs from the Complainant's official website, "www.marlolaz.com" and attempts to pass itself off as the Complainant's official website.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Paragraph 4(a) of the Policy directs that a complainant must prove each of the following:

(i) that the disputed domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

- (ii) that the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that the burden of proving that all these elements are present lies with the Complainant. At the same time, in accordance with paragraph 14(b) of the Rules, if a party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under, the Rules, or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate.

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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that a relevant element of the Complainant's mark, "LAZ," is recognizable within the disputed domain name. The Panel also takes note of the content of the website associated with the disputed domain name to confirm its finding of confusing similarity as it appears prima facie that the Respondent seeks to target the Complainant's trademark through the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.15.

Although the addition of other terms here, "necklace", 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 mark for the 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 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. 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 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.

The Panel notes that the Complainant argues that the website at the disputed domain name is selling counterfeits. Panels have held that the use of a domain name for illegitimate activity here, claimed sale of

counterfeit goods can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Panel notes that the products on the website at the disputed domain name are being offered for sale under heavily discounted prices, for example, one necklace marked as originally priced for USD 22,320 is being offered for sale for USD 86.49. This coupled with the website being designed to create an impression of affiliation with the Complainant, particularly noting the manner in which the Complainant's MARLO LAZ trademark is displayed, the use and feel, and the use of the Complainant's photos, leads the Panel to a finding that the goods offered are likely to be counterfeit goods.

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 has used the disputed domain name in an attempt to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or of a product or service on the Respondent's website. Paragraph 4(b)(iv) of the Policy, and [WIPO Overview 3.0](#), section 3.1.4.

The fact that use of the disputed domain name does not resolve to an active website after the filing of this Complaint, does not prevent a finding of bad faith in the circumstances of this proceeding. [WIPO Overview 3.0](#), section 3.3.

Noting that the disputed domain name incorporates a well-known trademark, that the Respondent has failed to participate in these proceedings, that there appears to be no conceivable good faith use that could be made by the Respondent of the disputed domain name and considering all the facts and evidence, the Panel finds that the requirements of paragraph 4(a)(iii) of the Policy are also fulfilled in this case.

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 <laznecklace.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: April 10, 2025