

ADMINISTRATIVE PANEL DECISION

Dansko, LLC v. Nadison Cherish
Case No. D2025-0706

1. The Parties

Complainant is Dansko, LLC, United States of America ("United States"), represented by Cozen O'Connor, United States.

Respondent is Nadison Cherish, United States.

2. The Domain Name and Registrar

The disputed domain name <danskos-outlet.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 February 20, 2025. On February 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 22, 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 (Unknown Registrant) and contact information in the Complaint.

The Center sent an email communication to Complainant on February 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed the first amended Complaint on February 26, 2025 and the second amended Complaint on February 27, 2025.

The Center verified that the Complaint together with the amended Complaints 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 February 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 20, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on March 24, 2025.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on March 28, 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

Complainant is a limited liability company based in the United States. For several decades prior to the registration of the disputed domain name, Complainant has offered footwear under the mark DANSKO. Complainant is the owner of several registrations for its DANSKO mark. These include, among others, United States Registration No. 2,712,957 (registered May 6, 2003).

The disputed domain name was registered on February 7, 2025. The disputed domain name resolves to a website that purportedly offers products that are related to or which compete with the footwear products offered by Complainant under its DANSKO mark. Respondent has no affiliation with Complainant, nor any license to use Complainant's marks.

5. Parties' Contentions

A. Complainant

Complainant contends that (i) the disputed domain name confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns rights to the DANSKO mark under which the products are sold "around the world" and which is popular among numerous shoppers including as "a top choice of medical professionals for over two decades." Complainant also asserts that it owns the domain name <dansko.com> which Complainant uses to communicate with prospective consumers online.

Complainant contends that Respondent has incorporated in full Complainant's DANSKO mark into the disputed domain name, with only the addition of the letter "s," a hyphen and the term "outlet," a common reference to a location selling discounted products. Complainant further contends that Respondent lacks rights or legitimate interests in the disputed domain name and rather has registered and is using it in bad faith, having likely acquired the disputed domain name for Respondent's own commercial gain.

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 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. Complainant has shown rights in respect of a trademark or service mark, DANSKO, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Although the addition of other terms (here, the letter "s," a hyphen, and the term "outlet") 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 Complainant's mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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. Complainant has provided evidence that the disputed domain name is being used to offer competing products.

The Panel finds that Complainant has provided sufficient evidence of Respondent’s lack of “rights or legitimate interests” in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

C. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. As noted in Section 4 of this Panel’s Decision, the record includes evidence that the disputed domain name is being used to purportedly offer products that are related to or compete with those offered by Complainant under its DANSKO mark. Based on the global reach of Complainant’s DANSKO products, as also found by prior UDRP panels, the composition of the disputed domain name and on the competing merchandise offered via the website at the disputed domain name, the Panel determines that Respondent is trading on the goodwill of Complainant’s trademarks to attract Internet users, presumably for Respondent’s own commercial gain. See *Dansko, LLC v. Client Care, Web Commerce Communications Limited*, WIPO Case No. [D2022-1257](#); *Dansko, LLC v. Congj Buxar*, WIPO Case No. [D2018-1672](#); and *Dansko, LLC v. Wenhong Chen*, WIPO Case No. [D2012-0583](#).

The Panel finds sufficient evidence that Respondent registered and is using the disputed domain name in bad faith for purposes of paragraph (4)(a)(iii) 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 <danskos-outlet.com> be transferred to Complainant.

/Lorelei Ritchie/

Lorelei Ritchie

Sole Panelist

Date: April 11, 2025