

ADMINISTRATIVE PANEL DECISION

Lego Holding A/S v. lin wei teng
Case No. D2025-0747

1. The Parties

The Complainant is Lego Holding A/S, Denmark, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is lin wei teng, China.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 24, 2025. On February 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 25, 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 (Redacted for privacy / Redacted for privacy) and contact information in the Complaint. The Center sent an email communication in Chinese and English to the Complainant on February 28, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed in English an amended Complaint on March 3, 2025.

On February 28, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On March 3, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 the Respondent in Chinese and English of the Complaint, and the proceedings commenced on March 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 29, 2025.

The Center appointed James Wang as the sole panelist in this matter on April 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, formerly known as LEGO Juris A/S, is the owner of LEGO and other trademarks used in connection with the LEGO brands of construction toys and other LEGO branded products.

The Complainant claims to have subsidiaries and branches throughout the world, and LEGO products are sold in more than 130 countries, including in China.

The Complainant is the registrant of trademarks consisting of or containing LEGO in different jurisdictions, including but not limited to:

- United Kingdom trademark Reg. No. UK00000754628, registered on June 11, 1956; and
- China trademark Reg. No. 1112413, registered on September 28, 1997.

The Complainant is the owner of more than 6,000 domain names containing the mark LEGO.

The Complainant's LEGO trademark and brand have been recognized as being famous by various rankings.

The disputed domain name was registered on November 1, 2024. Shortly after its registration, the disputed domain name was resolved to a website offering various products allegedly unrelated to the Complainant for sale. At the time of the filing of the Complaint, the disputed domain name did not resolve to any active web page.

The Complainant sent cease-and-desist letters in regard to the disputed domain name but received no response.

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 trademark in which the Complainant has rights. The Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name was registered and is being used in bad faith.

The Complainant requested that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1 Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

Considering the Center has already sent Chinese-English dual language case-related communications to the Parties, including the notification of the commencement of the proceeding with instructions regarding the language of the proceeding, and thereby given the Respondent an opportunity to comment on or to oppose the Complainant's request and arguments, and considering the Respondent's default and lack of reaction after having been given a fair chance to comment or oppose, together with the fact that the disputed domain name consists of only Latin letters instead of Chinese characters, the Panel finds it would not be unfair to proceed in English as requested by the Complainant.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Elements

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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.

A. Identical or Confusingly Similar

The Complainant has provided evidence that the Complainant is the registrant of trademarks consisting of or containing LEGO in different jurisdictions.

The applicable Top-Level Domain ("TLD") in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. Therefore, the TLD ".com" in the disputed domain name shall be disregarded under the confusing similarity test in this case. See [WIPO Overview 3.0](#), section 1.11.1.

The disputed domain name incorporates the entirety of the Complainant's LEGO trademark. As the LEGO trademark is recognizable within the disputed domain name, the disputed domain name is confusingly similar

to the Complainant's trademark. The addition of the terms "big" and "sale" into the disputed domain name does not prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), sections 1.7 and 1.8.

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

B. Rights or Legitimate Interests

Proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

According to the Complaint, no license or authorization has been given by the Complainant to the Respondent to use the trademark LEGO. There is no evidence that the Respondent has used or is preparing to use the disputed domain name in connection with a bona fide offering of goods or services or has made or is making a legitimate noncommercial or fair use of the disputed domain name. There is no evidence that the Respondent has been commonly known by the disputed domain name.

The Panel finds that the Complainant has made a prima facie case that the Respondent lacks rights or legitimate interests, and the Respondent has failed to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name.

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

C. Registered and Used in Bad Faith

Given the long history and international fame of the Complainant's LEGO trademark, it would be inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's trademark at the time of the registration. The Panel finds that the disputed domain name was registered in bad faith.

The Panel noticed that the disputed domain name previously resolved to a website offering various products for sale, shortly after its registration. This indicates the Respondent's intent to profit in some fashion from or otherwise exploit the Complainant's trademark. Such conduct constitutes bad faith under paragraph 4(b)(iv) of the Policy. The Panel further noticed that, at the time of the filing of the Complaint, the disputed domain name was no longer active. However, panels have found that the non-use of a domain would not prevent a finding of the Respondent's bad faith under the doctrine of passive holding. See [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name incorporating the LEGO trademark with the additional term "big sale" which may refer to the sale of the Complainant's products, 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.

Further, the Respondent's lack of response to the Complainant's cease-and-desist letters and the present proceeding may be considered as further evidence of bad faith.

Considering the above, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel therefore 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 <legobigsale.com> be transferred to the Complainant.

/James Wang/

James Wang

Sole Panelist

Date: April 18, 2025