ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Aston Martin Lagonda Limited v. Jenny Lawson
Case No. D2025-0986

1. The Parties

The Complainant is Aston Martin Lagonda Limited, United Kingdom, represented by J A Kemp LLP, United Kingdom.

The Respondent is Jenny Lawson, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <astonmartin.cam> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 11, 2025. On March 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 12, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 14, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

On March 19, 2025, the proceedings were suspended until April 18, 2025, upon the Complainant's request. The suspension was extended on April 17, 2025, upon request of the Complainant April 16, 2025, until May 17, 2025, and reinstituted on May 27, 2025. The Complainant filed an amended Complaint on May 30, 2025.

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 of the Complaint, and the proceedings commenced on June 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Commencement of Panel Appointment Process on June 26, 2025.

The Center appointed Christiane Féral-Schuhl as the sole panelist in this matter on July 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 was founded in 1913 and is a worldwide automotive and luxury brand which has over 150 licensed dealerships in over 50 countries.

The Complainant is the owner of several trademarks (the "ASTON MARTIN Trademarks") including the following:

- the International word Trademark Registration ASTON MARTIN No. 1139179, registered on July 6, 2011, for products and services in classes 3, 6, 7, 8, 9, 11, 12, 14, 16, 18, 20, 21, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 41 and 43;
- the European Union word mark ASTON MARTIN No. 008367815, registered on March 16, 2010, for products and services in classes 12, 35, 37 and 41;
- the United Kingdom word mark ASTON MARTIN No. UK00908367815, registered on March 16, 2010, for products and services in classes, inter alia, 12, 35, 37 and 41; and
- The United States word mark ASTON MARTIN No. 77766955, registered on September 13, 2011, for products and services in classes 3, 6, 7, 9, 11, 12, 14, 16, 18, 20, 24, 25, 26, 27, 28, 35, 36, 37, 39, 41 and 43.

The disputed domain name was registered on October 1, 2024, and is inactive.

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 identical to its ASTON MARTIN Trademarks as it contains the ASTON MARTIN Trademarks in their entirety with no other distinctive matter.

Then, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant asserts that the Respondent is not commonly known by the disputed domain name and/or has not acquired any trademark or service mark rights corresponding to the disputed domain name. The Complainant further submits that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name and is not using the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark at issue. The Complainant underlines that it has never authorized, licensed or otherwise permitted the Respondent to use the ASTON MARTIN Trademarks to register the disputed domain name.

Finally, the Complainant asserts that the disputed domain name was registered and has been used in bad faith. The Complainant underlines that by registering the disputed domain name, the Respondent has taken unfair advantage of the Complainant's ASTON MARTIN Trademarks, and that the Respondent had full

knowledge of these trademarks when registering the disputed domain name. The Complainant submits the Respondent knowingly registered the disputed domain name without authorization for commercial purposes and to intentionally attempt to attract for commercial gain Internet users to its website or other online location by creating a likelihood of confusion with the Complainant's ASTON MARTIN Trademarks.

B. Respondent

The Respondent did not reply to the 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.

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

The generic Top-Level Domain ("gTLD") in a domain name is viewed as a standard registration requirement and as such is usually disregarded for the purpose of determining whether a domain name is identical or confusingly similar to a trademark.

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.

Indeed, it appears that the Complainant has never authorized the Respondent to register the disputed domain name and that the Respondent is not commonly known by the disputed domain name nor had the intent to use the disputed domain name with a bona fide offering of goods or services. On the contrary the disputed domain name is inactive.

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 registered the disputed domain name well after the registration of the Complainant's ASTON MARTIN Trademarks. The Panel also notes that the ASTON MARTIN Trademarks are well known. Therefore, it is likely that the Respondent has deliberately targeted the Complainant when registered the disputed domain name.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.0, section 3.2.1.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.0, section 3.3. Having reviewed the available record, the Panel notes the reputation of the 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 Panel 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 <astonmartin.cam> be transferred to the Complainant.

/Christiane Féral-Schuhl/
Christiane Féral-Schuhl
Sole Panelist
Date: July 21, 2025