

ADMINISTRATIVE PANEL DECISION

LEGO Holding A/S v. Baris Can Gulum

Case No. D2025-1151

1. The Parties

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

The Respondent is Baris Can Gulum, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <lego.dad> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 20, 2025. On March 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 21, 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 (Data Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 21, 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 an amended Complaint on March 26, 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 March 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2025. The Respondent sent an email communication to the Center on March 21, 2025. On April 22, 2025, the Center notified the Parties that it would proceed to panel appointment.


The Center appointed Anton Polikarpov as the sole panelist in this matter on May 5, 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 globally renowned toy manufacturer headquartered in Denmark, best known for its interlocking construction bricks and related play materials. Since its founding in 1932, the Complainant has expanded its operations worldwide and built a strong reputation for quality, innovation, and creativity.

The LEGO brand has benefited from one of the strongest and most active fan communities, contributing to its consistent ranking among the world's top brands.

The Complainant enforces its intellectual property rights across numerous jurisdictions and maintains an extensive portfolio of registered trademarks, including:

- Danish Trademark No. VR 1954 00604 for LEGO, registered on May 1, 1954, covering goods in Class 28;
- International Trademark No. 287932 for LEGO, registered on August 27, 1964, covering goods in Class 28;
- Turkish Trademark No. 119057 for LEGO, registered on August 2, 1990, covering goods in Classes: 9, 16, 20, 24, 25 and 28; and
- Turkish Trademark No. 129710  for registered on November 21, 1991, covering goods in Class 28.

The LEGO mark is also recognized as a well-known mark in many countries around the world.

Additionally, the Complainant owns and operates a large collection of domain names incorporating the LEGO mark under various country-code and generic Top-Level Domains ("ccTLD" and "gTLD"), including its primary domain name <lego.com>, which was registered on August 22, 1995, and serves as the main website for its global operations.

The disputed domain name was registered on December 6, 2024 and currently resolves to an inactive website, and is not in use.

Upon learning of the unauthorized registration, on December 10, 2024, the Complainant sent a cease-and-desist letter via email to the Registrar. Despite the demands, the adequate measures to terminate the trademark infringement were not taken.

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, in other words:

- the disputed domain name is identical or confusingly similar to the trademarks in which the Complainant has established 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.

B. Respondent

The Respondent did not substantively reply to the Complainant's contentions. Despite being duly notified of the Complaint, the Respondent's communication was limited to a brief email to the Center. On March 21, 2025 the Respondent submitted: "Bilgilerim doğrudur. Şikayet eden kim? Bu dava ne için?" (Turkish for "My information is correct. Who is complaining? What is this case about?").

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must prove each of the following three elements to obtain an order for the transfer of the disputed domain name:

(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.

The burden of proving these elements remains with the Complainant even when the Respondent fails to respond to the Complaint (see *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#)).

In this case, the Respondent has not formally responded to the Complainant's allegations despite having been given appropriate opportunity to do so.

According to paragraph 5(f) of the Rules, "if a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint". Paragraph 14(b) of the Rules provides that "if a Party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under, these Rules or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate".

Nevertheless, none of the above automatically results in a decision in favor of the Complainant, so the Panel will therefore proceed to evaluate whether the Complainant has met its burden of proof based on the Complaint, the available evidence, and the Respondent's lack of response.

A. Identical or Confusingly Similar

The first element of the Policy functions primarily as a threshold requirement and involves a two-part inquiry: first, whether the Complainant possesses trademark rights, and second, whether the disputed domain name is identical or confusingly similar to those marks.

The Panel finds that the Complainant has established rights in the LEGO mark through extensive worldwide registrations, including in Türkiye, where the Respondent is located. These registrations are bolstered by significant commercial use and international recognition of the LEGO brand and thus satisfy the threshold requirement of having trademark rights for purposes of standing to file a UDRP case (see the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1).

As to a side-by-side comparison, the disputed domain name wholly incorporates the Complainant's trademark. The incorporation of a trademark in its entirety within a domain name is sufficient to establish confusing similarity for purposes of the Policy (see [WIPO Overview 3.0](#), section 1.7).

It is well-established that the applicable TLD in a domain name (in this case, ".dad") should be disregarded under the first element confusing similarity test, as it is viewed as a standard registration requirement (see [WIPO Overview 3.0](#), section 1.11.1; *Bentley Motors Limited v. Domain Admin / Kyle Rocheleau, Privacy Hero Inc.*, WIPO Case No. [D2014-1919](#)).

Consequently, the Panel finds that the disputed domain name is identical to the Complainant's trademark, and the first element of paragraph 4(a) of the Policy is satisfied.

B. Rights or Legitimate Interests

The second element requires the Panel to examine whether the Respondent has any rights or legitimate interests in the disputed domain name. Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances which, if established, would demonstrate such rights or legitimate interests.

It is well accepted that the Complainant must first make a prima facie showing that the Respondent lacks rights or legitimate interests in the disputed domain name, after which the burden of production shifts to the Respondent to present evidence demonstrating such rights or legitimate interests (see [WIPO Overview 3.0](#), section 2.1).

In the present case, the Complainant has demonstrated that: (i) the Respondent has not been granted any license, authorization, or permission to use the LEGO mark in the disputed domain name or otherwise; (ii) the Respondent is not commonly known by the disputed domain name – indeed, the Respondent's name "Baris Can Gulum" bears no resemblance to the term "lego"; and (iii) the disputed domain name has not been used in connection with any active website since its registration in December 2024.

The Panel finds particularly compelling the absence of any evidence suggesting that the Respondent has made preparations to use the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name resolves to a blank page without content, and there is no indication of any intended legitimate commercial or noncommercial use. As recognized by other Panels, passively holding a domain name that incorporates a Complainant's trademark without demonstrable preparation for legitimate use does not establish rights or legitimate interests under the Policy (see *LEGO Juris A/S v. Kang Zheng*, WIPO Case No. [D2010-1924](#)).

Given the distinctive and universally recognized status of the LEGO mark, it is particularly difficult to conceive of circumstances in which the Respondent could have legitimate rights in the disputed domain name that consists solely of the Complainant's trademark combined with the gTLD. The selection of a domain name identical to a famous mark carries a high risk of implied affiliation.

The Respondent's failure to respond to the Complainant's cease and desist letter and subsequent absence from these proceedings further reinforces the conclusion that no rights or legitimate interests exist. The Respondent has foregone multiple opportunities to articulate any basis for claiming rights or legitimate interests in the disputed domain name.

Thus, there is no evidence in the case file that refutes the Complainant's prima facie case. Given this, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The second element of paragraph 4(a) of the Policy is therefore satisfied.

C. Registered and Used in Bad Faith

The third element of the Policy requires the Complainant to demonstrate that the disputed domain name was both registered and used in bad faith.

Examining the question of bad faith registration, the Panel notes that: (i) the Complainant's trademark has been protected for decades, substantially predating the date of registration of the disputed domain name; (ii) previous UDRP decisions have consistently found the distinctive and well-known character of the LEGO mark, as demonstrated in *LEGO Juris A/S v. Level 5 Corp*, WIPO Case No. [D2008-1692](#) and *LEGO Juris A/S v. Michael Longo*, WIPO Case No. [D2008-1715](#) and many others; (iii) the LEGO mark is widely recognized and enjoys strong consumer awareness globally, as evidenced by its consistent ranking among the top global brands.

Given all the arguments presented, it is inconceivable that the Respondent was unaware of the Complainant's rights when selecting the disputed domain name.

The distinctiveness of the LEGO mark and identical composition of the disputed domain name further reinforces this conclusion. Unlike descriptive or generic terms where coincidental selection might be plausible, "lego" is a coined term with no inherent meaning beyond its association with the Complainant's products.

The Panel also finds particularly significant the Respondent's choice of the ".dad" gTLD, which is usually chosen by those who want to create content, sell goods or offer services related to the fathers. The

configuration of the disputed domain name suggests a connection to products for children, in particular, toys, so seems unlikely to be coincidental and the Panel is of the opinion that it further suggests a deliberate attempt to capitalize on potential confusion with the Complainant's brand.

Turning to the question of bad faith use, the Panel observes that the disputed domain name has remained inactive since its registration, resolving to no functional website. In the landmark case *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#), the panel established the doctrine of "passive holding," concluding that in certain circumstances, the non-use of a domain name would not prevent a finding of bad faith. The Telstra panel identified several factors relevant to determining whether passive holding constitutes bad faith, including: (i) the degree of distinctiveness or reputation of the Complainant's mark; (ii) the failure of the respondent to provide evidence of actual or contemplated good-faith use; (iii) the respondent's concealing its identity; and (iv) the implausibility of any good faith use of the domain name.

Applying the passive holding doctrine to the present case, the Panel finds that several compelling factors indicate bad faith:

Firstly, the LEGO mark possesses an exceptional degree of distinctiveness and reputation worldwide, making it among the most recognized brands globally.

Secondly, the Respondent has failed to submit any counter-arguments to the Complainant's cease and desist letters and reminders, nor has it denied the assertions of bad faith made by the Complainant in this proceeding.

Thirdly, it is difficult to conceive of any plausible scenario in which the Respondent could make legitimate use of the disputed domain name, which wholly incorporates the famous LEGO mark. As noted in *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#), "[t]he incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith".

For the reasons discussed above, the Panel concludes that the disputed domain name has been registered and is being used in bad faith. Accordingly, the Panel finds that the Complainant has satisfied the third element under 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, <lego.dad>, be transferred to the Complainant.

/Anton Polikarpov /

Anton Polikarpov

Sole Panelist

Date: May 19, 2025