

ADMINISTRATIVE PANEL DECISION

Lennar Pacific Properties Management, LLC, and Lennar Corporation v. Olaf Biz, OlafBiz

Case No. D2025-1277

1. The Parties

The Complainants are Lennar Pacific Properties Management, LLC, United States of America (“United States”), and Lennar Corporation, United States, represented by Slates Harwell Campbell, LLP, United States.

The Respondent is Ola Biz, OlafBiz, United States.

2. The Domain Name and Registrar

The disputed domain name <lennarbuild.com> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”), United States.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 28, 2025. On March 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 28, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name that differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 1, 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 amendment to the Complaint on April 1, 2025.

The Center verified that the Complaint together with the amendment to 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.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 3, 2025. In accordance with the Rules, paragraph 5, the due date for a response was April 23, 2025. The Respondent did not submit a response. Accordingly, the Center notified the Respondent’s default on April 28, 2025.

The Center appointed A. Justin Ourso III as the panelist in this matter on April 30, 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 Complainants are a publicly held company that is a well-known American homebuilder and a related intellectual property holding company that owns and licenses to the homebuilder (collectively, the “Complainants”) the well-known LENNAR trademark under which they have offered their homebuilding and related services since as early as May 1973.

The Complainants own a United States registration, No. 3,108,401, for its LENNAR trademark, issued on June 27, 2006, for homebuilding and related services in Class 37, related real estate consulting services in Class 35, and mortgage and other related financial services in Class 36, and a United States registration, No. 3,477,143, for its LENNAR trademark, issued on July 29, 2008, for construction consulting and related services in Class 37, and for real estate listing and real estate management services in Class 36.

The Complainants own the domain name <lennar.com> and operate the web site “www.lennar.com” on which they advertise their services under the Complainants’ LENNAR mark. The Complainants use their domain name for email communications for all their business.

The Respondent registered the Domain Name on February 19, 2025. The record contains no evidence that the Complainants authorized this registration. Prior to this proceeding, an attempt to reach the website at “www.lennarbuild.com” prompted a message from a third-party Internet security software provider that blocked access to the site and warned “Malicious website blocked | http://lennarbuild.com | Category: Phishing | Rating: Dangerous | Verified fraudulent page or threat source.” After the Complainants initiated this proceeding, and during the preparation of this Decision, the site could not be reached.

The Complainants presented evidence that the Respondent is using the Domain Name to facilitate email impersonation of a Complainant employee to defraud third-parties into sending the Respondent building materials.

The Complainants sent a demand letter to the Respondent on March 3, 2025, demanding that, inter alia, the Respondent stop using the Domain Name and transfer the Domain Name to the Complainants. The Respondent did not reply to the demand letter.

5. Parties’ Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the Domain Name, which it requested.

Notably, the Complainants contend that the Respondent is using the Domain Name intentionally and in bad faith to facilitate email impersonation of a Complainant employee to defraud third-parties into sending the Respondent building materials; the distinctiveness and reputation of the famous LENNAR mark and the Domain Name itself illustrate an effort to mislead consumers and demonstrate bad faith; the Respondent used a privacy service and provided false contact information; and the Respondent failed to respond to the Complainants’ demand letter. The Complainant also alleged typosquatting.¹

¹The Panel does not view this case as one of typosquatting. The addition of a descriptive element at the end of a domain name, even an element that connotes identification with a complainant, is not, in the view of the Panel, typosquatting. Typosquatting is generally considered to be present when a trademark is misspelled in a domain name, not when a descriptive element is added to a domain name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.9.

B. Respondent

The Respondent did not submit a response to the Complaint.

6. Discussion and Findings

6.1. Consolidation: Multiple Complainants

In assessing the propriety of multiple complainants filing against a single respondent, panels examine whether (i) the complainants have a common grievance, or common conduct by a respondent affected the complainants similarly, and (ii) it would be equitable and procedurally efficient to permit the consolidation. Rules, paragraph 10(e); [WIPO Overview 3.0](#), section 4.11.1. The Panel finds that the Complainants are a licensor and licensee, and related companies, with a common grievance against the Respondent, arising from a common interest in their trademark, and that the Respondent's conduct has adversely affected both. Additionally, consolidation would be equitable and procedurally efficient. Accordingly, the Panel concludes that consolidation in this proceeding is proper.

6.2. Substantive Matters

A complainant must prove three elements to obtain relief: (i) the domain name is identical or confusingly similar to a trademark in which the complainant has rights; (ii) the respondent has no rights or legitimate interests in the domain name; and (iii) the respondent registered and is using the domain name in bad faith. Policy, paragraph 4(a).

A. Identical or Confusingly Similar

On the first element, a complainant must prove that (1) it has rights in a trademark and (2) the domain name is identical or confusingly similar to this trademark. Policy, paragraph 4(a)(i).

The Panel finds that the Complainants' registrations establish the Complainants' trademark rights. [WIPO Overview 3.0](#), section 1.2.1.

The Domain Name incorporates the entire trademark, and the trademark is readily recognizable within the Domain Name, notwithstanding the addition of a descriptive component, "build." The Panel finds that the Domain Name is confusingly similar to the trademark. [WIPO Overview 3.0](#), sections 1.7 and 1.8. Accordingly, the Panel concludes that the Complainants have proven the first element: the Domain Name is confusingly similar to a trademark in which it has rights.

B. Rights or Legitimate Interests

The Respondent has not claimed the existence of any circumstance under the Policy, paragraph 4(c), that demonstrates that a respondent has rights to, or legitimate interests in, a domain name. The Panel finds that the Complainants have shown that they established their trademark rights before the Respondent registered the Domain Name; the Respondent is not commonly known by the Domain Name; the record contains no evidence that the Respondent owns a trademark registration for the Domain Name or operates a legitimate business under the Domain Name; and the nature of the Domain Name itself effectively impersonates the Complainants. [WIPO Overview 3.0](#), sections 2.5.1, 2.5.2, and 2.13.1. Additionally, the record contains no evidence that the Complainants authorized the Respondent to use their trademark or the Domain Name. This record constitutes prima facie a showing that the Respondent lacks any rights or legitimate interests in the Domain Name under the Policy, paragraph 4(a)(ii), shifting the burden of production on this second element to the Respondent to come forward with relevant evidence proving rights or legitimate interests in the Domain Name. [WIPO Overview 3.0](#), section 2.1. The Respondent has not submitted any evidence to rebut the prima facie showing.

Accordingly, the Panel concludes that the Complainants have proven, and the evidence demonstrates, the second element: the Respondent lacks rights or legitimate interests in the Domain Name.

C. Registered and Used in Bad Faith

The Complainants' mark is a distinctive, well-known mark. Panels have consistently found that the mere registration of a domain name that is confusingly similar to a well-known trademark can create a presumption of bad faith registration, which here is un rebutted by the Respondent. [WIPO Overview 3.0](#), section 3.1.4.

The Respondent's addition of the descriptive component "build" after the trademark in the Domain Name when registering it demonstrates that the Respondent was aware of the Complainants and the Complainants' mark when the Respondent registered the Domain Name, which effectively impersonates the Complainants. The only plausible purpose in registering this Domain Name was to use the Domain Name for deceptive activity, such as to attract customers or potential customers of the trademark owner to a web site of the Registrant, or, as here, in deceptive emails to facilitate fraud. Panels have categorically held that the use of a domain name for impersonation is *per se* bad faith. [WIPO Overview 3.0](#), section 3.1.4, 3.4.

The Complainants have presented evidence showing that the Respondent impersonated a Complainant employee in an attempt to deceive a third party into sending building materials to the Respondent for the Complainant's account.

However, the two email threads are incomplete. In one three-page thread, the Complainants redacted part of the first page, without any explanation for the redaction. In the other thread, a two-page thread, the Complainants redacted part of page two, and page one is missing completely, including the header for the email, with the result that the email has no addressee and is undated, which weakens its evidentiary value, again with no explanation for the redaction. Otherwise, the email threads support the Complainants' contention that the Respondent impersonated an employee of the Complainants in an attempt to deceive a third-party vendor into sending building materials to the Respondent.

Panels have held that the use of a domain name for illegitimate activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Considering the record, the Panel finds that the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy.

Additionally, the Respondent used a privacy service, provided a nonexistent contact address, failed to respond to the Complainants' demand letter, and failed to respond to the Complaint. [WIPO Overview 3.0](#), sections 3.2.1 and 3.6.

These findings compel the Panel's conclusion that the Respondent (1) intentionally registered the Domain Name in bad faith to impersonate the Complainants and target their vendors and (2) is using it in bad faith to impersonate the Complainants and target their vendors. [WIPO Overview 3.0](#), sections 3.1.3, 3.2.1, 3.4.

Accordingly, the Panel concludes that the Complainants have proven the third element: the Respondent registered and is using the Domain Name in bad faith.

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 Domain Name <lennarbuild.com> be transferred to the Complainants.

/A. Justin Ourso III/

A. Justin Ourso III

Panelist

Date: May 12, 2025