

ADMINISTRATIVE PANEL DECISION

Leo Technologies, LLC v. JUNGYUHKOOK
Case No. D2025-1447

1. The Parties

The Complainant is Leo Technologies, LLC, United States of America ("United States"), represented by Glaser Weil Fink Jacobs Howard Jordan & Shapiro LLP, United States.

The Respondent is JUNGYUHKOOK, Republic of Korea.

2. The Domain Name and Registrar

The disputed domain name <leotech.com> is registered with Megazone Corp., dba HOSTING.KR (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on April 9, 2025 and requested English to be the language of the proceeding. On April 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 10, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details and that the registration agreement is in Korean.

The Center verified that 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 (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint in English and Korean, and the proceedings commenced on April 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 13, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on May 21, 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 company founded in 2018 that offers a search and analytics platform for authorized correctional facilities in the United States. The Complainant is the owner of the trademarks LEOTECH (Serial Number 98706216) and LEOTECH and design (Number 9870620), both registered in the United States on May 13, 2025. The Complainant commenced use of the LEOTECH mark on February 28, 2023.

The Respondent appears to be an individual with an address in the Republic of Korea.

The disputed domain name was registered on July 19, 2023 and resolves to a website displaying pay-per-click ("PPC") links to terms "Digital Twin Artificial Intelligence", "Gps Tracking for Equipment" and "Data Center Digital Twin."

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 the LEOTECH marks in which the Complainant has common law rights.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of, or demonstrable preparations to use the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name, or a legitimate noncommercial or fair use of the disputed domain name by the Respondent. Rather, the Complainant contends that the Respondent is a cybersquatter who owns over 28,000 domain names who attempted to extort the Complainant by demanding USD 180,000 for transfer of the disputed domain name.

Finally, the Complainant contends that the disputed domain name was registered and used in bad faith. Namely, the Complainant contends that the Respondent had constructive notice, if not actual notice, of the Complainant's use of the LEOTECH mark in the United States since February 28, 2023, seven months before the registration date of the disputed domain name. The Complainant also contends that the Respondent had actual notice of the Complainant's use of the LEOTECH mark by virtue of the letter that the Complainant sent to the Respondent on October 23, 2024, informing the Respondent of the two pending trademark applications for the LEOTECH mark. The Complainant contends that the only logical conclusion is that the Respondent registered the disputed domain name for financial gain, by cybersquatting and attempting to extort the Complainant for money in exchange for the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Korean. 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 for several reasons, including the fact that the communications for sale of the disputed domain name with the Respondent were conducted entirely in English and that the text of the disputed domain name is an abbreviation of an English term.

The Respondent did not make any specific 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). Here, both Parties were given the opportunity to submit arguments in the language of their preference, and the Respondent neither raised an objection as to the language of the proceeding nor submitted any arguments whatsoever in these proceedings.

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.

A. Identical or Confusingly Similar

The Complainant contends that it has acquired common law rights to the trademark LEOTECH but has not submitted evidence demonstrating such acquired distinctiveness. [WIPO Overview 3.0](#), section 1.3.

As for the Complainant's two trademarks, its applications were still pending when the Complaint was filed on April 8, 2025. Generally, rights in the trademark must have been in existence at the time the complaint is filed. [WIPO Overview 3.0](#), section 1.1.3. However, the Panel confirmed that the trademarks were registered on May 13, 2025, and prior panels have made exceptions in cases where the complainants' trademark applications had passed through the publication period without oppositions being raised at the time of the filing of the complaint (*Zeetogroup, LLC v. Rafal Wierczynski*, WIPO Case No. [D2011-2300](#); *Hayata of North America Ltd. v. Michael Sandfort*, WIPO Case No. [D2007-1585](#)). The Panel adopts this approach as the opposition periods for the Complainant's trademark applications had passed on the date of filing of the Complaint, and furthermore, the trademarks were registered by the time the Panel reviewed the case record.

And as the entirety of the LEOTECH mark is reproduced within the disputed domain name, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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

B. Rights or Legitimate Interests

The Panel finds that it is unnecessary to consider this element in view of its conclusions under the third element.

C. Registered and Used in Bad Faith

The Panel is not able to find that the Respondent registered the disputed domain name in bad faith targeting the Complainant or its trademark rights because the Complainant had no registered trademark rights at the time that the Respondent registered the disputed domain name. [WIPO Overview 3.0](#), section 3.8.1.

The Complainant contends that the Respondent registered the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's out-of-pocket costs directly related to the disputed domain name, but has not submitted credible evidence that the Respondent knew, or should have known, that the disputed domain name would be identical or confusingly similar to the Complainant's mark.

The Complainant contends that the Respondent had constructive notice of the Complainant's use of the LEOTECH mark starting on February 28, 2023, the date when it first commenced use of the LEOTECH mark, and submits a printout of a Google search result page for LEOTECH, but as the search is dated April 3, 2025, it is quite unconvincing to show that the mark was known to the Respondent at the time of registration. Rather, the Panel's own search for "leotech" with the search perimeters limited to the one month period preceding the date of registration of the disputed domain name gives results for – in order – a United Kingdom IT consulting services company by the name of "Leo Tech Consulting", a Sierra Leone youth organization by the name of "Leotech Sierra Leone", an Indian tools company by the name of "Leotech", and a Kenyan computer business by the name of "LeoTech Solutions". Based on this, the Panel is of the opinion that there is insufficient evidence that the Complainant's mark was known by the Respondent at the time of the registration of the disputed domain name. Rather, based on the fact that "leotech" is composed of two short terms, the Respondent could have registered the disputed domain name without reference to the Complainant.

The Complainant also contends that the Respondent's demand for USD 180,000 in exchange for the disputed domain name is further evidence of bad faith. However, based on the evidence submitted, the communications were made via Sedo.com and the Respondent may not have been aware that the Complainant was the prospective buyer.

As for the PPC links appearing at the website associated with the disputed domain name, it is unclear if they are related to the Complainant's services or its competitors, or to the term "tech" in the disputed domain name.

Accordingly, the Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: June 17, 2025