

ADMINISTRATIVE PANEL DECISION

Dansko, LLC v. Demi King, Demi King
Case No. D2025-1657

1. The Parties

The Complainant is Dansko, LLC, United States of America (“United States”), represented by Cozen O'Connor, United States.

The Respondent is Demi King, Demi King, Germany.

2. The Domain Name and Registrar

The disputed domain name <ca-dansko.com> is registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 24, 2025. On April 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 26, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 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 an amended Complaint on April 28, 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 April 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 20, 2025.

The Center appointed Keiji Kondo as the sole panelist in this matter on May 23, 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 has provided, and is providing, comfort footwear to customers around the world.

The Complainant has a number of trademark registrations for “DANSKO” (the “Complainant’s trademark”) in the United States Patent and Trademark Office, including:

Registration Number: 2712957;

Filing Date: January 9, 2002;

Registration Date: May 6, 2003; and

Goods and Services: (Int’l Class: 25) footwear, namely, casual outdoor shoes and work shoes for use in the health care, food service, equestrian, and general service industries.

The Respondent registered the disputed domain name <ca-dansko.com> on April 12, 2025.

The disputed domain name directs to the Respondent’s website, where footwear designated as DANSKO is displayed for sale.

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 virtually identical to the Complainant’s trademark. The only difference is addition of the geographically descriptive term “ca”, which does nothing to distinguish the disputed domain name from the Complainant’s trademark. The added part “ca- “ only indicates that it is a place to shop for the Complainant’s footwear in Canada.

Nor does the fact that the disputed domain name uses a generic top-level domain (gTLD) “.com” create a meaningful distinction from the Complainant’s trademark. It is well established under UDRP that the specific top level domain name does not affect the determination of the identity or similarity between a domain name and a trademark.

Given the prominent use of the Complainant’s trademark in the disputed domain name with the additional nondistinctive, geographically descriptive term “ca”, consumers are likely to believe that the disputed domain name is related to, affiliated with, or otherwise sponsored by the Complainant. Therefore, the disputed domain name is confusingly similar to the Complainant’s trademark, in which the Complainant has long-standing established rights.

In light of the foregoing, it is abundantly clear that the disputed domain name is confusingly similar to the Complainant’s trademark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent is not affiliated with the Complainant, and there is no evidence to suggest that the Respondent has registered the disputed domain name to advance legitimate interests for the bona fide offering of legitimate goods or services.

The Respondent has anonymously registered the disputed domain in an effort to evade the consequences of registering the disputed domain name for which he/she has no rights or legitimate interests. The use of a privacy or proxy registration service to register a domain name has led numerous panels to take the registrant's anonymity into account and draw adverse inferences. See, e.g., *Ustream.TV, Inc. v. Vertical Axis, Inc.*, WIPO Case No. [D2008-0598](#), *Sermo, Inc. v. CatalystMD, LLC*, WIPO Case No. [D2008-0647](#), *Fifth Third Bancorp v. Secure Whois Information Service*, WIPO Case No. [D2006-0696](#) and *HSBC Finance Corporation v. Clear Blue Sky Inc.*, WIPO Case No. [D2007-0062](#).

According to the Registrar-provided information, the Respondent's name is "Demi King". The Respondent is not commonly known as "Dansko," or any of the terms in the disputed domain name. Moreover, there presently is no evidence of any connection between the Respondent and the disputed domain name.

The Complainant has not authorized, licensed, or endorsed the Respondent's use of its trademark in the disputed domain name. Thus, there is no basis to find that the Respondent is commonly known by the disputed domain name under Policy paragraph 4(c)(ii).

The Respondent's use of the disputed domain name is neither bona fide offering of goods or services nor a legitimate noncommercial or fair use. The disputed domain name resolves to a website with infringing content, purporting to offer identical footwear goods and prominently displaying the Complainant's trademark.

The Respondent has made every effort to confuse consumers into believing the disputed domain name is related to the Complainant by offering footwear and footwear products via websites that are confusingly similar to the Complainant's bona fide website. Panels have held that such actions evidence respondent's lack of rights or legitimate interests in the disputed domain name. See *SuperMedia LLC v. Gina Parrado*, WIPO Case No. [D2011-1295](#).

Because the Respondent anonymously registered the disputed domain name and the website displays unauthorized content infringing on the Complainant's trademark, the Respondent cannot claim to be commonly known by the disputed domain name or similar names related thereto. The Respondent has clearly made no effort to associate himself or herself with the disputed domain and instead attempts to confuse consumers into believing that the Respondent is associated with the Complainant.

The Respondent's adoption and use of the disputed domain name is in bad faith.

Upon viewing the website located at the disputed domain name, it becomes apparent that the Respondent had full knowledge of the Complainant's rights in the Complainant's trademark. The website appears to mimic the Complainant's own bona fide website, and prominently displays the Complainant's trademark in connection with purported sale of footwear. As such, a Panel can reasonably find that the Respondent registered and uses the disputed domain name in bad faith.

Here, it is apparent that the Respondent's registration and use of the disputed domain name was, and is, in bad faith in contravention of paragraphs 4(i)-(iv) of the Policy. The Respondent registered the disputed domain name long after the Complainant first began advertising and using its trademark in connection with its aforementioned goods and services, and after the Complainant obtained its United States' registrations for its trademark. Indeed, the disputed domain name was registered in 2025, which post-dates the Complainant's registration for and use of its trademark by many years.

Moreover, it is apparent that the Respondent registered the disputed domain name to trade-off of the Complainant's goodwill in its trademark and to confuse consumers into believing that the Respondent's disputed domain name is affiliated or associated with the Complainant when that is not the case.

Given that the Respondent also chose to attach a geographically descriptive term at the beginning of the Complainant's trademark in the disputed domain, it is likely that the Respondent plans to use the disputed domain name in attempts to fraudulently obtain personally identifiable information from individuals believing that the disputed domain name is actually related to the Complainant.

For all of the foregoing reasons, the Respondent has engaged in bad faith use and registration of the disputed domain name.

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.

In the present case, entirety of the Complainant's trademark appears in the disputed domain name. Addition of "ca" with a hyphen does not prevent a finding of confusing similarity.

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.

Regarding the second element of the Policy, the Complainant alleges that the disputed domain name resolves to a website with infringing content, purporting to offer identical footwear goods and prominently displaying the Complainant's trademark. However, the Complainant does not positively show that the goods offered for sale are fake.

On the other hand, the Respondent's website does not give any notice regarding the relationship (or lack thereof) between the Complainant and the Respondent. Moreover, the Complainant clearly alleges in the Complaint that the Complainant has not authorized, licensed, or endorsed the Respondent's use of its trademark in the disputed domain name, but the Respondent did not file any response to the Complaint.

Having reviewed the available record, noting the composition of the disputed domain name, and considering the requirements under the *Okidata* test (see *Okidata Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), the Panel finds that 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.

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 more than twenty years after the Complainant's trademark registration. The Complainant is a provider of footwear and the designated goods of the Complainant's trademark registration include footwear. In addition, the Respondent's website displays footwear designated as DANSKO, the Complainant's trademark. These facts show that the Respondent registered the disputed domain name intentionally attempting to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant's mark.

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 <ca-dansko.com> be transferred to the Complainant.

/Keiji Kondo/

Keiji Kondo

Sole Panelist

Date: June 6, 2025