

ADMINISTRATIVE PANEL DECISION

Lennar Pacific Properties Management, LLC, Lennar Corporation v.
hongkong
Case No. D2025-1661

1. The Parties

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

The Respondent is hongkong, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <lennar.top> is registered with Dominet (HK) Limited (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 27, 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 and/or unnamed) and contact information in the Complaint. The Center sent an email communication to the Complainants on May 5, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint on the same day.

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 (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 May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 27, 2025.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on June 3, 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 related companies engaged in real estate management, brokerage, development, construction, mortgage, and financial services under the LENNAR mark.

The First Complainant is the owner of the following marks in the United States:

- Registration No. 3,108,401 for LENNAR, registered on June 27, 2006, for services in Classes 35, 36, and 37;
- Registration No. 3,477,143 for LENNAR, registered on July 29, 2008, for services in Classes 36 and 37; and
- Registration No. 6,980,927 for LENNAR MORTGAGE, registered on February 14, 2023, for services in Class 36.

The Second Complainant is a related company and an authorized licensee of the LENNAR marks. As such, both Complainants have a common legal interest in the relevant rights that are affected by the Respondent's conduct regarding the registration of the disputed domain name, and both Complainants are the target of common conduct by the Respondent which has clearly affected their respective legal interests.

As both entities use the marks in their respective business operations, the Complainants will be collectively referred to as "the Complainant".

The Complainant has offered real estate management, brokerage, development, construction, mortgage, and financial services under the LENNAR marks since at least as early as 1973. In connection with these services, the Complainant owns and operates a website utilizing the LENNAR mark, located at the domain name <lennar.com>.

The disputed domain name was registered on March 21, 2025, and at the time of filing the Complaint and by the time of this decision does not resolve to an active website.

5. Parties' Contentions

A. Complainant

The Complainant states that the disputed domain name is identical or confusingly similar to the LENNAR trademark – in fact, the disputed domain name includes the LENNAR trademark in its entirety.

The Respondent has no rights or legitimate interests in the disputed domain name, as it has not acquired any trademark rights with respect to the disputed domain name. As evidenced by the documents presented, the registration and use of the trademark LENNAR predates the registration of the disputed domain name by more than a decade.

Moreover, the Respondent is not commonly known by the disputed domain name. The Respondent has also not secured a license or any other authorization from the Complainant to use the trademark.

Lastly, the Respondent is not making any legitimate noncommercial or fair use of the disputed domain name. The Complainant sent a cease-and-desist letter to the Respondent on March 25, 2025 regarding registration

of the disputed domain name, and the Respondent has failed to respond to date or otherwise provide any explanation regarding registration or use of the disputed domain name.

In sum, the Complainant alleges that it is clear that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

The Policy, in its paragraph 4(a), determines that three elements must be present and duly proven by a complainant to obtain relief. These elements are:

- i. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect to the disputed domain name; and
- iii. the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has presented evidence of ownership of the trademark LENNAR in the United States. The Panel finds that the Complainant has rights in the LENNAR trademark.

The disputed domain name is confusingly similar to the Complainant's LENNAR trademark, as the latter is entirely incorporated in the disputed domain name, see [WIPO Overview 3.0](#), section 1.7.

Lastly, the Panel notes that, in accordance with section 1.11.1 of the [WIPO Overview 3.0](#), the generic Top-Level Domain ("gTLD") ".top" is in principle disregarded under the first element.

Given the above, the Panel concludes that the disputed domain name is identical to the registered trademark LENNAR of the Complainant.

B. Rights or Legitimate Interests

The Panel notes that the trademark LENNAR is widely known for identifying the Complainant's activities, and that the Complainant has not licensed it to the Respondent.

Furthermore, the Respondent does not appear to be commonly known by the disputed domain name.

It has also been shown that the Respondent is not making any active use of the disputed domain name, noting the disputed domain name does not resolve to an active website. Ultimately, the Respondent is not making a noncommercial or fair use of the disputed domain name, nor a bona fide offering of goods or services.

The Panel finds that the Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, and the burden of production of evidence shifts to the Respondent. In the absence of a Response, as well as in the absence of a response to the cease-and-desist letter sent by the Complainant, the Respondent has not rebutted such prima facie case.

The Panel, thus, finds that the Complainant has established the second element of the Policy.

C. Registered and Used in Bad Faith

The Complainant has registered and used the trademark LENNAR for decades. The Panel finds that the Respondent has probably registered the disputed domain name with the purpose of taking unfair advantage of the Complainant's trademark.

The disputed domain name reproduces the Complainant's trademark LENNAR in its entirety.

The composition of the disputed domain name points towards the Respondent's likely intent to give the impression that the disputed domain name is associated with the Complainant. See [WIPO Overview 3.0](#), section 3.1.4. In the absence of any reasonable explanation for the selection of the disputed domain name by the Respondent, and in the circumstances of this case, the Panel finds that it is more likely than not that the disputed domain name has been registered to take unfair advantage of the trademark owned by the Complainant.

The passive holding of the disputed domain name does not prevent a finding of bad faith from the Respondent. Previous UDRP panels have found that the lack of so-called active use of a disputed domain name does not prevent a finding of bad faith. See, e.g., *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); see also *Redcats S.A. And La Redoute S.A. v. Tumay Asena*, WIPO Case No. [D2001-0859](#); and *DCI S.A. v. Link Commercial Corporation*, WIPO Case No. [D2000-1232](#). Here, the Panel notes the distinctive and well-known nature of the Complainant's trademark LENNAR, the composition of the disputed domain name, the Respondent's provision of false or incomplete contact details when registering the disputed domain name, and the failure of the Respondent to submit a Response to the Complaint, and finds that the passive holding of the disputed domain name does not prevent a finding of bad faith.

In the totality of the circumstances, the Panel finds the Respondent has registered and is using the disputed 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 disputed domain name <lennar.top> be transferred to the second Complainant, Lennar Corporation.

/Alvaro Loureiro Oliveira/

Alvaro Loureiro Oliveira

Sole Panelist

Date: June 16, 2025