

ADMINISTRATIVE PANEL DECISION

Les Mills International Limited v. James LeBron
Case No. D2025-1878

1. The Parties

The Complainant is Les Mills International Limited, New Zealand, represented internally.

The Respondent is James LeBron, United States of America ("United States").

2. The Domain Names and Registrar

The disputed domain names <lesmills.cc>, <lesmillsclub.cc> and <lesmills.xyz> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 12, 2025. On May 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 12, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domain Administrator, c/o PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 20, 2025. The Complainant filed an amended Complaint on May 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 June 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 24, 2025.

The Center appointed Anna Carabelli as the sole panelist in this matter on July 14, 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

As per the evidence submitted with the Complaint, the Complainant is an international fitness brand founded in 1968 by four-time Olympian Les Mills.

The Complainant provides fitness programs and classes under its LES MILLS trade mark through a wide network of accredited and certified instructors and gyms.

The Complainant owns several trade mark registrations for LES MILLS in many jurisdictions, including:

- New Zealand trade mark registration LES MILLS No. 761976, registered on January 15, 2007 in Classes 9, 16, 25, and 28;
- Australian trade mark registration LES MILLS No. 999651, registered on April 27, 2004 in Classes 9, 16, 25, 28, and 41;
- United States trade mark registration LES MILLS No. 3402918, registered on March 25, 2008 in Classes 9, 16, 25, 28, and 41;
- United States trade mark registration LES MILLS No. 5418999, registered on March 6, 2018 in Classes 9 and 10.

The Complainant is the owner of many domain names, including <lesmills.com> which resolves to its primary website.

The disputed domain names <lesmillsclub.cc>, <lesmills.cc> and <lesmills.xyz> were registered on different dates, respectively on February 27, 2024, on April 6, 2021, and on August 16, 2023.

As per the uncontested evidence provided by the Complainant, the disputed domain names resolve to three identical web sites prominently featuring the Complainant's logos, imagery, and the Complainant's LES MILLS trade mark, and seemingly offering the Complainant's official programs and audio-visual content for a fee. At the time of this decision, no website was accessible at the disputed domain name <lesmills.xyz>.

Between December 2024 and May 2025, the Complainant submitted Digital Millennium Copyright Act takedown requests and follow-ups, to the host servers of the disputed domain names. No response was received.

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 names.

Notably, the Complainant contends that:

- the disputed domain names are identical or confusingly similar to its well-known LES MILLS mark;
- the Respondent has no rights or legitimate interests in the disputed domain names, since the Complainant has not authorized or somehow given consent to the Respondent to register the disputed domain names, and the Respondent's use of the disputed domain names is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use;
- the disputed domain names were registered and are being used in bad faith to misleadingly divert consumers and to tarnish the trade mark LES MILLS for commercial gain.

Based on the above the Complainant requests the disputed domain names be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to decide the Complaint based on the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Under paragraph 4(a) of the Policy, the Complainant must prove each of the following:

- (i) the disputed domain names are 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 names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

Paragraph 4(b) of the Policy sets out four illustrative circumstances, which for the purposes of paragraph 4(a)(iii) of the Policy, shall be evidence of registration and use of a domain name in bad faith.

Paragraph 4(c) of the Policy sets out three illustrative circumstances any one of which, if found by the Panel, shall be evidence of the Respondent's rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy above.

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the Complainant's registered trade mark LES MILLS is reproduced and recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

As regards the disputed domain name <lesmillsclub.cc>, the Panel notes that it consists of the Complainant's mark with the addition of the term "club". Although the addition of other terms, here "club", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The addition of the generic Top-Level Domain, such as ".cc" and ".xyz", is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

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.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

Additionally, the composition of the disputed domain names (consisting of, or containing the Complainant’s LES MILLS trade mark) and the content of the Respondent’s websites (prominently featuring the Complainant’s trade mark and allegedly offering the Complainant’s official programs and audio-visual content for a fee) create a risk of Internet user confusion. As per the undisputed evidence submitted with the Complaint, the Respondent’s websites did not show any information about the Respondent or disclaimer accurately disclosing the Respondent’s relationship with the Complainant.

On the contrary, the overall impression created by the Respondent’s websites, including use of the Complainant’s trade mark, logos, and imagery, is one of impersonation of the Complainant. Panels have held that the use of a domain name for illegal activity like passing off/impersonation, as is the case here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1

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, in addition to the Respondent’s attempt to impersonate the Complainant as discussed in paragraph B above, the Panel notes two previous UDRP cases successfully brought by the Complainant against a respondent with the same name as the Respondent, who was also purportedly based in the United States and had used the same registrar as in this case. (*Les Mills International Limited v. James LeBron* WIPO Case No. [D2022-4402](#) and *Les Mills International Limited v. James LeBron*, WIPO Case No. [D2022-3246](#)). All the above suggests an intention on the part of the Respondent to target the Complainant.

On the balance of probabilities, and in the absence of any evidence to the contrary, the Panel concludes that the Respondent set out to target the Complainant’s mark and to deceive users by adopting confusingly similar domain names, with an intention to divert Internet users to its websites for either commercial and illicit purposes, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of its websites. This is evidence of bad faith under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.0](#), section 3.4.

Furthermore, Panels have held that the use of a domain name for illegal activity, like impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the available record, in the Panel's view the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy.

The Panel finds the third element of the Policy has also been established.

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 names <lesmills.cc>, <lesmillsclub.cc> and <lesmills.xyz> be transferred to the Complainant.

/Anna Carabelli/

Anna Carabelli

Sole Panelist

Date: July 28, 2025