

ADMINISTRATIVE PANEL DECISION

Dansko, LLC v. Boka Rosa

Case No. D2025-1915

1. The Parties

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

The Respondent is Boka Rosa, United States.

2. The Domain Name and Registrar

The disputed domain name <danskoclearance.shop> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 13, 2025. On May 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 14, 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 May 15, 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 May 19, 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 May 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 16, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on June 24, 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 in the business of making and selling footwear. It owns the trademark DANSKO, for which it enjoys the benefits of registration, including United States Reg. No. 3854991, registered on September 28, 2010.

According to the Whois records, the disputed domain name was registered on March 17, 2025. The Respondent has used the disputed domain name to set up a website with what the Complainant asserts is infringing content, purporting to offer clothing goods, including footwear.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of 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 respond to the Complainant's contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is 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 name, and (iii) the disputed domain name has been registered and is being used in bad faith. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. 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. *Id.*

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the DANSKO mark by providing evidence of its trademark registration. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the DANSKO mark in its entirety together with the term "clearance," which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's DANSKO mark. See [WIPO Overview 3.0](#), section 1.8. The DANSKO mark remains recognizable for a showing of confusing similarity under the Policy.

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a *prima facie* showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent (with the burden of proof always remaining with the Complainant). See [WIPO Overview 3.0](#), section 2.1; *AXA SA v. Huade Wang*, WIPO Case No. [D2022-1289](#).

On this point, the Complainant asserts, among other things, that: (1) the Respondent is not affiliated with the Complainant; (2) there is no evidence to suggest that the Respondent has registered the disputed domain name to advance legitimate interests or for the bona fide offering of legitimate goods or services; (3) the Respondent is not commonly known by the Complainant's mark; and (4) the Complainant has not authorized, licensed, or endorsed the Respondent's use of its mark in the disputed domain name.

The Panel finds that the Complainant has made the required *prima facie* showing. The Respondent has not presented evidence to overcome this *prima facie* showing. The disputed domain name resolves to a website purportedly offering clothing and shoes under a name different from Dansko. Nothing in the record tilts the balance in the Respondent's favor.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

The Respondent has used the disputed domain name to set up a website that purports to offer goods including footwear that are highly similar or identical to the Complainant's products. The use of the DANSKO mark in the disputed domain name, along with footwear offered for sale on the website, demonstrates that the Respondent had the Complainant and its trademark in mind when registering the disputed domain name.

The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website. This constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Accordingly, the Panel finds that the Complainant has established this third element under 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 <[danskoclearance.shop](#)> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: June 30, 2025