

ARBITRATION AND MEDIATION CENTER

# ADMINISTRATIVE PANEL DECISION

Lightricks Ltd. v. Andy Wang, Weidian Case No. D2025-2520

#### 1. The Parties

The Complainant is Lightricks Ltd., Israel, represented by Gornitzky & Co., Israel.

The Respondent is Andy Wang, Weidian, China.

# 2. The Domain Name and Registrar

The disputed domain name < ltxv.video> is registered with NameCheap, Inc. (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 26, 2025. On June 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 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 ("Redacted for Privacy, Privacy Service Provided by Withheld for Privacy ehf") and contact information in the Complaint. The Center sent an email communication to the Complainant on June 27, 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 amendment to the Complaint on the same date.

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 July 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 23, 2025.

The Center appointed Willem J.H. Leppink as the sole panelist in this matter on July 25, 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 following facts are undisputed.

The Complainant is a software company that develops and markets various Al-based software products. One of the products of the Complainant is LTXV, which is an open-source Al model that generates photo and video content. LTXV is integral to the Complainant's services, powering all of the Complainant's applications and platforms, including Facetune, Photoleap, Videolap, and LTX studio.

The Complainant owns various intellectual property rights associated with LTXV, LTX, and LTX Studio. Moreover, the Complainant owns trademark registrations for LTX and its variations, including but not limited to:

- The International trademark registration (word) LTX with number 1802319, registered on May 21, 2024, for classes 9 and 42, designating several jurisdictions, including Brazil, China, the European Union, the United Kingdom, Japan, Korea (Republic of), Mexico, and Russian Federation;
- The Israeli trademark registration (word) LTX with number 371159, registered on May 2, 2024, for classes 9 and 42:
- The International trademark registration (word) LTX STUDIO with number 1801694, registered on May 21, 2024, for classes 9 and 42, designating several jurisdictions including Brazil, China, the European Union, the United Kingdom, Japan, Korea (Republic of), Mexico, and Russian Federation;
- The United States trademark registration (word) LTX Studio with number 7676058 registered on February 4, 2025, for classes 9 and 42.

In addition to its registered trademarks, the Complainant has a widespread use of "LTXV" as a name to refer to its proprietary video generation technology. The Complainant is also the owner of numerous domain names such as lightricks.com>.

The disputed domain name was registered on May 10, 2025, and currently resolves to an active page featuring: "LTXV 13B AI Video Generation - A groundbreaking 13B-parameter AI model by Lightricks, revolutionizing video creation with unprecedented speed and quality. 30x faster than comparable models, powered by advanced multiscale rendering technology." The copyright notice mentions: "© 2025 Lightricks. All rights reserved."

On May 26, 2025, the Complainant sent a formal cease and desist letter to the Respondent, demanding the immediate cessation of unauthorized use of the disputed domain name and associated trademarks. A reply was received from the Respondent's privacy service indicating that they are a privacy service and unable to take action on the request.

#### 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 the following:

The disputed domain name is confusingly similar to the Complainant's registered trademarks. The disputed domain name results from the LTX trademark and the addition of the letter "v", representing "video" which is descriptive of the Complainant's services and therefore reinforces the false association with the Complainant's services.

The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent does not use and has not used the disputed domain names in connection with a bona fide offering of goods or services. There is no indication that the Respondent offered any services under the disputed domain name and the Respondent has never been commonly known by "ltxv" or "ltx". Moreover, the overall presentation of the website falsely implies that it is owned or operated by the Complainant misleading Internet users into believing that it is an official or authorized website by the Complainant.

Furthermore, the disputed domain name was registered and used in bad faith. The disputed domain name displays a website that actively misleads the Internet user by impersonating the Complainant. The disputed domain name displays a fabricated copyright notice, which falsely indicates that that the content is officially owned of advertised by the Complainant. This clearly demonstrates bad faith registration and use under the Policy.

### **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.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1.

The entirety of the mark LTX is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. <u>WIPO Overview 3.0</u>, section 1.7.

Although the addition of the letter "v" may bear on assessment of the second and third elements, the addition 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 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 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.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.0, section 2.13.1. The Panel notes that the website to which the disputed domain name resolves clearly tries to impersonate the Complainant, as, apart from the use of the Complainant's trademark, it mentions the name of the Complainant in the copyright notice.

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

#### C. Registered and Used in Bad Faith

The Panel refers to its considerations under 6.B.

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 based on the available record, the Respondent has clearly used the disputed domain name to impersonate the Complainant by creating the impression of an official website which would be operated by the Complainant. As such, the Respondent must have had the Complainant and its trademark in mind when registering the disputed domain name. As such the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark.

Panels have held that the use of a domain name for illegitimate purposes, such as impersonation, constitutes bad faith. <u>WIPO Overview 3.0</u>, section 3.4.

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 <a href="https://example.com/linearing/linearing-new-normal-new-n

/Willem J. H. Leppink/
Willem J. H. Leppink
Sole Panelist
Date: August 6, 2025