

## **ADMINISTRATIVE PANEL DECISION**

LaSalle Records, Inc. v. Yohanes Feliks Budiman  
Case No. D2025-2522

### **1. The Parties**

The Complainant is LaSalle Records, Inc., United States of America, represented by Akerman LLP, United States of America.

The Respondent is Yohanes Feliks Budiman, Singapore.

### **2. The Domain Name and Registrar**

The disputed domain name <dtarecords.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 26, 2025. On June 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 30, 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 July 3, 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 July 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 25, 2025.

The Center appointed Jeremy Speres as the sole panelist in this matter on July 29, 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, a record label founded by the well-known rock musician Travis Barker, has, since 2019, traded as a record label under the DTA RECORDS mark.

The Complainant's mark is registered under United States Trademark Registration No. 7213571 DTA RECORDS in class 41, having a registration date of November 7, 2023.

The disputed domain name was registered on December 18, 2013, and currently does not resolve to an active website.

#### **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 was registered and has been used in bad faith under the doctrine of passive holding given that there is no conceivable good faith use of the disputed domain name in light of the extensive repute of the Complainant's mark, which is identical to 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.

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 is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

The Respondent’s apparent non-use of the disputed domain name cannot confer rights or legitimate interests. *Philip Morris USA Inc. v. Muhammad Faisal*, WIPO Case No. [D2016-0621](#).

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

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

The disputed domain name was registered in 2013, long before the Complainant first registered or began using its DTA RECORDS mark. However, the Complaint states as follows:

“In fact, Complainant used the Disputed Domain Name as the official website for its business through December 2024. Annex 9. By the time Respondent registered the Disputed Domain Name in or around January 2025, Complainant had well-established registered and common law trademark rights in Complainant’s Mark.”

The Complainant thus appears to claim that the disputed domain name was allowed to lapse by the Complainant and that the Respondent registered or acquired it in January 2025. The Complainant, however, provides no evidence in support of these contentions, other than Internet Archive screenshots showing that the disputed domain name resolved to a website that appears to be the official website of the Complainant’s DTA RECORDS record label from 2020 until 2023.

In accordance with its powers of independent research articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel has viewed publicly-available historical Whois records for the disputed domain name. These show that the disputed domain name was registered in the name of “Elektra Records” in 2019 – 2022 until the registrant changed to a privacy service. The Panel’s Internet searches for the Complainant’s mark DTA RECORDS show that the Complainant’s DTA RECORDS record label is a partnership between Mr. Barker and Elektra Records. The Panel has also viewed the Internet Archive records for the disputed domain name, which show that it resolved to a website appearing to be the official website for the Complainant’s DTA RECORDS record label until December 2024.

The Panel notes that the previous expiration date for the disputed domain name was in December 2024, and that the Whois records for the disputed domain name show that they were updated on January 29, 2025.

All of this corroborates the Complainant’s claim to the effect that it allowed the disputed domain name to lapse, presumably inadvertently, in December 2024, and that the Respondent acquired the disputed domain name in January 2025. In the absence of any evidence to the contrary from the Respondent, the Panel accepts, on balance of probabilities, that the Respondent acquired the disputed domain name in January 2025.

It is well established that the date on which the current registrant acquired a domain name is the date a panel will consider in assessing bad faith. [WIPO Overview 3.0](#), section 3.9.

The Complainant's evidence establishes that its DTA RECORDS mark was well known long prior to acquisition of the disputed domain name by the Respondent in 2025. UDRP panels have consistently found that registration of a domain name that is identical to a famous or well-known trademark by an unaffiliated entity, as in this case, can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Internet searches for the Complainant's DTA RECORDS mark reveal results overwhelmingly relating to the Complainant, and the mark is inherently distinctive. It is therefore difficult to conceive of any good faith use to which the disputed domain name could be put that would not take advantage of the Complainant's trademark.

Panels have found that the non-use of a domain name, as in this case, would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name being identical to the mark, and the implausibility of any good faith use to which the disputed domain name may be put, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 <dtarecords.com> be transferred to the Complainant.

*/Jeremy Speres/*

**Jeremy Speres**

Sole Panelist

Date: July 31, 2025