

ADMINISTRATIVE PANEL DECISION

LC Waikiki Mağazacılık Hizmetleri Ticaret Anonim Şirketi v. liu xuan ting
Case No. D2025-2585

1. The Parties

The Complainant is LC Waikiki Mağazacılık Hizmetleri Ticaret Anonim Şirketi, Türkiye, represented by Muhtaranlar Attorney Partnership, Türkiye.

The Respondent is liu xuan ting, China.

2. The Domain Name and Registrar

The disputed domain name <lcwgo.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2025. On the following day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 4, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 4, 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 in English on July 11, 2025.

On July 4, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On July 11, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on July 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 14, 2025.

The Center appointed Matthew Kennedy as the sole panelist in this matter on August 19, 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 a Turkish apparel company that owns the LC WAIKIKI and LCW brands. The Complainant operates more than 500 stores in Türkiye and 750 stores in 57 other countries and territories. The Complainant holds trademark registrations in multiple jurisdictions, including International trademark registration number 650504 for LCW, registered on February 7, 1996, designating multiple jurisdictions, including China, and specifying goods in classes 18, 24, and 25. That trademark registration is current. According to the evidence, the Complainant markets products and stores inter alia as "LCW Dream", "LCW Home", "LCW Look", and "LCW kids". The Complainant has registered the domain name <lcw.com> that it uses in connection with an online store where it offers its products for sale. The Complainant also operates social media accounts named "lcwdream", "lcwhome", and "lcw_com".

The Respondent is an individual based in China.

The disputed domain name was registered on March 2, 2015. It resolves to a website in Chinese displaying advertising and links to gambling and pornographic websites.

The Complainant sent a takedown notice to the Registrar on May 26, 2025.

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 is confusingly similar to its LCW mark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. There is no business relationship between the Respondent and the Complainant. The Complainant has not given any license or authorization to use the LCW trademark.

The disputed domain name has been registered and is being used in bad faith. Given the well-known status of the Complainant and its LCW brand, it cannot be argued that the Respondent was unaware of the Complainant's rights. The disputed domain name is used in bad faith which damages the reputation of the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1 Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and the amendment to the Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the Complainant does not understand Chinese, the disputed domain name is composed of Latin letters, and English is a neutral accessible and appropriate common language between the Parties.

Despite the Center having sent an email regarding the language of the proceeding, and the notification of the Complaint in both Chinese and English, the Respondent did not make any submissions with respect to the language of the proceeding or indicate any interest in otherwise participating in this proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time, and costs. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English. The Panel would have accepted a Response in Chinese, but none was filed.

6.2 Substantive Issues

Paragraph 4(a) of the Policy provides that a complainant must prove each of the following elements with respect to each disputed domain name:

- (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 of 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

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. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of the LCW trademark for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the LCW mark is reproduced within the disputed domain name. Despite the addition of the word "go", the LCW mark remains clearly recognizable within the disputed domain name. The only additional element is a generic Top-Level Domain ("gTLD") extension (".com") which, as a standard requirement of domain name registration, may be disregarded in the assessment of confusing similarity. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. See [WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.11.1.

Therefore, 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. See [WIPO Overview 3.0](#), section 2.1.

In the present case, the disputed domain name, which incorporates the LCW mark, resolves to a website displaying advertising and links to gambling and pornography sites. There is no apparent connection between the disputed domain name and the website content. These circumstances do not indicate that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services. Nor is he making a legitimate noncommercial or fair use of the disputed domain name.

Further, the Registrar has verified that the Respondent’s name is “liu xuan ting”. Neither this name nor its initials resembles the disputed domain name. Nothing on the record indicates that the Respondent has been commonly known by the disputed domain name.

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.

Based on the record, 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. The fourth of these circumstances is as follows:

“(iv) by using the [disputed] domain name, [the respondent has] intentionally attempted to attract, for commercial gain, Internet users to [the respondent’s] website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [the respondent’s] website or location or of a product or service on [the respondent’s] web site or location.”

The disputed domain name was registered in 2015, many years after the registration of the Complainant’s LCW mark, including in China, where the Respondent is based. Given its extensive and longstanding use, the LCW mark has acquired a considerable reputation in the apparel sector. The disputed domain name wholly incorporates the LCW mark, adding only the word “go”. Even though the mark consists of only three letters with many potential meanings, there is no other explanation on the record for the composition of the string “lcwgo”. The Respondent provides no explanation for his choice to register the disputed domain name. Accordingly, the Panel finds, on the balance of probabilities, that the Respondent was aware of the

Complainant and its LCW mark at the time when he registered the disputed domain name.

As regards use, the disputed domain name resolves to a website displaying advertising and links to gambling and pornography sites. On the balance of probabilities, the Panel accepts that the disputed domain name operates by attracting Internet users searching for the Complainant and its LCW products and diverting them to the Respondent's website. This use is intentional and for commercial gain and falls within the terms of paragraph 4(b)(iv) of the Policy.

Therefore, 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 <lcwgo.com> be transferred to the Complainant.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: August 24, 2025