

ADMINISTRATIVE PANEL DECISION

LEGO Holding A/S v. TAN VAN LE, Legotalk
Case No. D2025-2877

1. The Parties

The Complainant is LEGO Holding A/S, Denmark, represented by CSC Digital Brand Services AB, Sweden.

The Respondent is TAN VAN LE, Legotalk, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <legotalk.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 21, 2025. On July 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 21, 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 (Contact Privacy Inc. Customer 0174622495) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 23, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 15, 2025.

The Center appointed Uwa Ohiku as the sole panelist in this matter on August 20, 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 globally reputed toy manufacturer with headquarters in Denmark. With a history dating back to 1932, the Complainant has grown worldwide to include several subsidiaries, branches, hubs, manufacturing sites and hundreds of retail stores worldwide, employing over 28,000. The Complainant is best known for its interlocking construction bricks and other LEGO branded products, which are sold in numerous countries across the globe.

The LEGO brand is consistently ranked among the world's top brands. For example, in 2023 and 2024, the Global RepTrak 100 Top 5 Most Reputable Companies rated the Complainant as No.1.

The Complainant maintains an extensive portfolio of registered trademarks in several jurisdictions, including the following:

- Danish Trademark No. VR 1954 00604 for LEGO, registered on May 1, 1954, for goods in Class 28.
- International Trademark (including Viet Nam) No. 287932 for LEGO, registered on August 27, 1964, for goods in Class 28.
- Vietnamese Trademark No. 60988 for LEGO Logo, registered on October 31, 2003, for goods in Classes 9, 16, 20, 25, 28 and 41.
- United States of America Trademark No. 1018875 for LEGO registered on August 26, 1975 for goods in Class 28.

The Complainant also holds several domain names incorporating the LEGO trademark under various country-code and generic Top-Level Domains, among them, <lego.com>, registered on August 22, 1995, which is its flagship website for its global operations.

Previous panels have held that the Complainant's mark LEGO mark is well-known and well-established.

The Respondent did not file a Response.

The disputed domain name <legotalk.com> was registered on April 10, 2025. According to evidence submitted with the Complaint, the disputed domain name <legotalk.com> initially redirected to a website which claimed to offer for sale, Complainant's products. Upon learning of the unauthorized registration, the Complainant sent cease-and-desist letters to the Respondent on May 14, 2025, May 21, 2025, and May 28, 2025, respectively. No responses were received to any of the letters.

According to evidence submitted with the Complaint, at the time of filing the Complaint, the disputed domain name <legotalk.com> resolved to an inactive website. At the time of the Decision, the position remains the same.

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 as follows:

- The disputed domain name is identical or confusingly similar to the trademarks in which the Complainant has established rights;
- The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- The disputed domain name was registered and is being used in bad faith.

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 a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable.”

The Respondent failed to file a Response or to contest the Complainant's assertions, but this does not automatically mean that each of the three elements required under the Policy for a transfer of the disputed domain name has been established by the Complainant. The Panel will review the evidence provided by the Complainant to verify that all three elements of the claims are indeed met. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.3.

Further, under paragraph 5(f) of the Rules, if a respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint, and under paragraph 14(b) of the Rules, if a party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under the Rules, the Panel shall draw such inferences therefrom as it considers appropriate.

The Panel has authority to decide the dispute, examining the three elements in paragraph 4(a) of the Policy, taking into consideration all the relevant evidence, annexed materials and allegations and carrying out limited independent research under the general powers of the Panel, amongst others, specified in paragraph 10 of the Rules.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy, which are bolstered by extensive commercial use and international recognition and fame, thus satisfying the threshold requirement of having trademark rights for the purpose of filing a UDRP case. [WIPO Overview 3.0](#), section 1.2.1.

As to a side-by-side comparison, the entirety of the Complainant's mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

It is well established that the applicable Top Level Domain in a domain name (in this case, “.com”) should be disregarded under the first element confusing similarity test, as it is a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1.

The addition of the term “talk” 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.

Consequently, the Panel finds the first element of paragraph 4(a) of the Policy has been established.

B. Rights or Legitimate Interests

The second element requires the Panel to examine whether the Respondent has any rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides the following non-exclusive circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name:

- (i) that before any notice of the dispute, the respondent has used or demonstrated preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods and services; or
- (ii) that the respondent (as an individual, business or other organization) has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) that the respondent is making a legitimate non-commercial or fair use of the domain name without intent for commercial gain to misleadingly divert customers or to tarnish the complainant's trademark or service mark.

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.

In the present case, the Complainant has demonstrated that it has not granted the Respondent any license, authorization or permission to use the LEGO trademark in the disputed domain name, or is the Complainant otherwise affiliated with the Respondent. Further the Respondent is not commonly known by the disputed domain name – indeed the Respondent's name "TAN VAN LE", bears no resemblance whatsoever to "lego" and the disputed domain name has not been used in connection with any website since after the Complainant sent cease and desist requests to the Respondent.

Given the distinctive and globally recognized status of the Complainant's mark LEGO, Panel finds it difficult to conceive of circumstances in which the Respondent could have rights or legitimate interests in the disputed domain name which incorporates the Complainant's mark completely. The nature of the disputed domain name and the Complainant's well-established and recognized trademark which has been registered in numerous jurisdictions prior to the disputed domain name and is being used extensively and has gained considerable notoriety, carries a risk of affiliation, which cannot confer any rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.1.

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 failure to respond to the Complainant's cease and desist letters and subsequent absence from these proceedings, further buttresses Panel conclusion that the Respondent has no rights or legitimate interests in the LEGO trademark.

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

C. Registered and Used in Bad Faith

The third element of the Policy requires that the Complainant establishes that the disputed domain name was both registered as well as 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 sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Examining the question of bad faith registration, the Panel notes that the Complainant's trademark has been protected extensively around the world for decades (including in Viet Nam), substantially predating the date of registration of the disputed domain name, and previous panels have consistently held that the Complainant's trademark LEGO is well known. Further, the LEGO trademark is widely recognized and enjoys extensive consumer awareness globally. Given all the arguments presented, it is inconceivable that the Respondent was unaware of the Complainant's rights when selecting the disputed domain name, and the reputation of the LEGO mark and composition of the disputed domain name further reinforces this conclusion. Further, the Respondent has not shown that it has any authorization from or affiliation with the Complainant.

On the basis of the unchallenged information and the evidence provided by the Complainant, the Panel finds that the disputed domain name was registered in bad faith.

Turning to the question of bad faith use, the Panel reaches a decision that the disputed domain name is being used in bad faith based on the following circumstances, amongst several others:

- the high probability that the Respondent was aware or should have been aware of the Complainant's rights in the Trademark given the notoriety which the Complainant's Trademark enjoys;
- the composition of the disputed domain name vis-a-vis the Complainant's Trademark;
- the lack of formal response from the Respondent or to counter the Complainant's cease and desist letters and reminders, or to deny the assertions of bad faith made by the Complainant;
- use of the website under the disputed domain name initially to offer the Complainant's goods for sale without authorization, approval or affiliation with the Complainant whatsoever;
- passive holding of the disputed domain after cease and desist letters were sent by the Complainant.
- the lack of a plausible scenario in which the Respondent could make legitimate use of the disputed domain name which wholly incorporates the famous LEGO mark. (See *Veuve Cliquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#))

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <legotalk.com> be transferred to the Complainant.

/Uwa Ohiku/

Uwa Ohiku

Sole Panelist

Date: September 3, 2025