

ADMINISTRATIVE PANEL DECISION

Dansko, LLC v. Dillionay Tony
Case No. D2025-3090

1. The Parties

The Complainant is Dansko, LLC, United States of America, represented by Cozen O'Connor, United States of America ("United States").

The Respondent is Dillionay Tony, United States.

2. The Domain Name and Registrar

The disputed domain name <saledanskofootwear.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 4, 2025. On August 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 6, 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 August 6, 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 August 6, 2025.

The Center verified that the Complaint 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 August 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 28, 2025.

The Center appointed Lynda J. Zadra-Symes as the sole panelist in this matter on September 1, 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 offers comfort footwear to customers around the world. Beginning with clog sales in 1990, Complainant now offers other footwear, including boots, sandals, flats and sneakers, all designed for long wear and comfort.

The Complainant uses the mark DANSKO in connection with its footwear and related products. Complainant owns numerous trademark registrations for footwear and related products, including the following trademark registrations in the United States:

DANSKO	Registration No. 3854991	Registered September 28, 2010
DANSKO	Registration No. 4229847	Registered October 23, 2012
DANSKO	Registration No. 3265194	Registered July 17, 2007
DANSKO	Registration No. 2712957	Registered May 6, 2003

The disputed domain name was registered on July 24, 2025. The disputed domain name resolves to a website that prominently displays the Complainant's DANSKO mark and logo and purports to sell footwear.

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 incorporates the Complainant's DANSKO mark in its entirety, that the Respondent has no rights or legitimate interests in respect of the disputed domain name and that the disputed domain name has been registered and is being used in bad faith.

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 Complainant's mark is reproduced within the disputed domain name with the addition of the terms "sale" and "footwear". 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.

The Panel finds the addition of the terms "sale" and "footwear" 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.

The Complainant has not authorized the Respondent to register or use the Complainant's mark in the disputed domain name. The disputed domain name resolves to a website that prominently displays the Complainant's mark and logo and purports to sell footwear. Respondent's unauthorized use of the Complainant's mark in the disputed domain name cannot constitute a bona fide offering of goods or services. The record indicates that the Respondent is using the disputed domain name to impersonate the Complainant and deceive unsuspecting consumers into believing they can buy the Complainant's genuine products from the Respondent's website.

Panels have held that the use of a domain name for illegal activity, here, claimed as impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the Respondent is impersonating the Complainant by registering and using the Complainant's DANSKO mark in the disputed domain name in connection with a website that displays the Complainant's mark and logo and purports to sell footwear. The record indicates that the Respondent is intentionally attempting to attract, for commercial gain, Internet users by creating a likelihood

of confusion with the Complainant's mark. The record indicates that the Respondent's aim in registering and using the disputed domain name was to profit from or exploit the Complainant's trademark.

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.

Panels have held that the use of a domain name for illegal activity, here, claimed as impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. 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 <saedanskofootwear.com> be transferred to the Complainant.

/Lynda J. Zadra-Symes/

Lynda J. Zadra-Symes

Sole Panelist

Date: September 15, 2025