

ADMINISTRATIVE PANEL DECISION

PN II, Inc. v. bob gaskie
Case No. D2025-3293

1. The Parties

Complainant is PN II, Inc., United States of America ("USA"), represented by Adams and Reese LLP, USA.

Respondent is bob gaskie, USA.

2. The Domain Name and Registrar

The disputed domain name <pu1tegroup.com> is registered with eNom, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 15, 2025. On August 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 18, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on August 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 20, 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 Respondent of the Complaint, and the proceedings commenced on August 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 14, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 16, 2025.

The Center appointed Bradley A. Slutsky as the sole panelist in this matter on September 22, 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

Complainant is a U.S. corporation incorporated in Nevada and headquartered in Atlanta, Georgia, USA. It is a wholly-owned subsidiary of PulteGroup, Inc. – a large homebuilding company in the United States. Complainant and its predecessors have been using the trademark PULTE since 1969 and PULTEGROUP since 2010 in connection with homebuilding, real estate, mortgage lending, and related services.

Complainant owns numerous USAtmtrademark registrations for the marks PULTE and PULTEGROUP, including the following:

Mark	Goods/Services	Jurisdiction	Reg. No.	Registration Date
PULTE	Real estate agency services	USA	3,676,026	September 1, 2009
PULTE	Mortgage lending and administration services	USA	1,942,747	December 19, 1995
PULTE	Land development and planning and construction services, etc.	USA	7,025,786	April 11, 2023
PULTEGROUP	Planning and construction services, namely, planning, laying out and construction of residential and commercial communities	USA	4,077,463	December 27, 2011
PULTEGROUP	Charitable services, namely, providing mortgage-free homes for individuals in need	USA	7,025,881	April 11, 2023

These registrations predate the registration of the disputed domain name. Complainant also owns and operates multiple domain names, including <pulte.com>, <pultegroup.com> and <pultegroupinc.com>. The domain name <pultegroup.com> is used for email addresses for Complainant's employees.

Respondent is Bob Gaskie of Los Angeles, California, USA. The disputed domain name, <pu1tegroup.com>, was registered on July 14, 2025. Complainant became aware of the disputed domain name on August 14, 2025, after a third-party vendor received a fraudulent inquiry from an individual impersonating an employee of Complainant, using an email address associated with the disputed domain name. The impersonator used the name of an actual employee of Complainant, and listed "PulteGroup, Inc." as the impersonator's company. Subsequently, the impersonator requested to apply for credit with the vendor to order goods or services. The website associated with the disputed domain name displays a server-generated directory index with no substantive content.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that the disputed domain name is confusingly similar to its registered trademarks PULTE and PULTEGROUP, which have been in continuous use since 1969 and 2010, respectively. These marks are used in connection with homebuilding, real estate, mortgage lending, and related services, and are promoted through various media and domain names, including <pulte.com> and <pultegroupinc.com>. Complainant holds multiple USA trademark registrations for its marks, which predate the registration of the disputed domain name. The disputed domain name substitutes the number "1" for the letter "I" in Complainant's PULTEGROUP trademark, which Complainant alleges constitutes typosquatting that is designed to create confusion.

Further, Complainant argues that Respondent has no rights or legitimate interests in the disputed domain name. Complainant asserts that Respondent has never been a licensee or franchisee of Complainant, has never been authorized to register or use Complainant's marks or to apply for or use any domain name incorporating Complainant's marks, and is not commonly known by the name "pu1tegroup." Complainant further contends that the disputed domain name is not being used for any bona fide offering of goods or services, or for legitimate noncommercial or fair use. Instead, Complainant asserts that Respondent has used the disputed domain name to impersonate an employee of Complainant in an effort to fraudulently obtain goods or services on credit from a third-party vendor. Complainant asserts that such conduct constitutes impersonation and fraud and cannot confer any rights or legitimate interests under the Policy. Complainant further contends that its marks are famous, and that Respondent therefore could not make a bona fide or legitimate use of the disputed domain name without authorization from Complainant.

Complainant further asserts that the disputed domain name was registered and is being used in bad faith. Complainant argues that, given reputation, it is implausible that Respondent was unaware of Complainant at the time Respondent registered the disputed domain name. Complainant also notes that Respondent's impersonation of Complainant's employee and the use of the disputed domain name in a fraudulent scheme is further evidence that Respondent had actual knowledge of Complainant. Complainant notes that such impersonation constitutes bad faith registration and use for commercial gain with an intent to trade on Complainant's goodwill. Complainant also argues that "Respondent has demonstrated a pattern of conduct indicative of bad faith registration and use of domains incorporating others' trademarks", based on two earlier WIPO UDRP decisions in which Respondent was found to have engaged in bad faith registration and use under similar circumstances.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Pursuant to paragraph 15(a) of the Rules, a panel in UDRP proceedings "shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

Under paragraph 4(a) of the Policy, Complainant must prove the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) 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 Complainant's trademarks and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in respect of trademarks or service marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. The disputed domain name consists of Complainant's PULTEGROUP trademark with the number "1" substituted for the "I", plus the addition of the ".com" generic Top-Level Domain ("gTLD"). "A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element." [WIPO Overview 3.0](#), section 1.9. The addition of the ".com" gTLD does not avoid confusing similarity. The gTLD in a domain name "is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test." [WIPO Overview 3.0](#), section 1.11.1. The disputed domain name thus is confusingly similar to Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Accordingly, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

"Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate [Respondent's] rights or legitimate interests to the domain name[s] for purposes of paragraph 4(a)(ii):

(i) before any notice to [Respondent] of the dispute, [Respondent's] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or

(ii) [Respondent] (as an individual, business, or other organization) [has] been commonly known by the [disputed] domain name, even if [Respondent has] acquired no trademark or service mark rights; or

(iii) [Respondent is] making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue". Policy, paragraph 4(c).

Although the overall burden of proof in UDRP proceedings is on 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 Respondent. As such, where a complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

There is no evidence that Respondent has used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, or has been commonly known by the disputed domain name, or is making a legitimate noncommercial or fair use of the disputed domain name.

The only evidence of Respondent's use of the disputed domain name is in connection with a scheme to obtain goods or services on credit by falsely claiming to be associated with Complainant. "Panels have categorically held that the use of a domain name for illegal activity (e.g., ... impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent." [WIPO Overview 3.0](#),

section 2.13.1. See also *Lennar Pacific Properties Management, LLC, Lennar Corporation v. bob Gaskie*, WIPO Case No. [D2025-1423](#) (finding that this same Respondent lacked rights or legitimate interests in a disputed domain name when “Complainant has made unrebutted assertions that Respondent has allegedly used the disputed domain name to send fraudulent invoices to customers of the Complainant, using the name of an actual employee of the Complainant”); *Lennar Pacific Properties Management, LLC, Lennar Corporation v. bob gaskie*, WIPO Case No. [D2024-4690](#) (finding that this same Respondent lacked rights or legitimate interests in a disputed domain name, noting “[t]he fact that the Respondent obtained the Disputed Domain Name which is a typo of the Complainant’s primary domain name <lennar.com> indicates that the Respondent likely sought to piggyback on the mark for illegitimate reasons, namely, to engage in a phishing scheme targeting customers of the Complainant (an inference supported by the Complainant’s evidence and not denied by the Respondent).”).

Further, with respect to a “domain name which consists of a common, obvious, or intentional misspelling of a trademark ... panels will normally find that employing a misspelling in this way signals an intention on the part of the respondent (typically corroborated by infringing website content) to confuse users seeking or expecting the complainant.” [WIPO Overview 3.0](#), section 1.9. Under the circumstances of this case, the registration of a typosquatted domain name and the use of it to attempt to defraud a vendor also is indicative of Respondent’s lack of rights or legitimate interests. See *PN II, Inc. v. Quan Zhongjun, Juanita Co.*, WIPO Case No. [D2025-0224](#) (“the Panel is satisfied that the [<www.pulte.com>] Domain Name was registered and held with knowledge of the Complainant’s marks and business and with the intention to take advantage of the same, particularly in the case of Internet users who missed out the ‘full stop’ or ‘period’ when intending to type the letters ‘www.pulte.com’ into a search engine or browser, and this is most likely in order to gain some form of financial advantage. There is no right or legitimate interest in holding a domain name for such a purpose and the Panel is of the view that such activity provides positive evidence that no rights or legitimate interests exists.”).

Accordingly, 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. Specifically, “the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that [Respondent has] registered or [Respondent has] acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of [Respondent’s] documented out-of-pocket costs directly related to the domain name; or
- (ii) [Respondent has] registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that [Respondent has] engaged in a pattern of such conduct; or
- (iii) [Respondent has] registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, [Respondent has] intentionally attempted to attract, for commercial gain, Internet users to [Respondent’s] website or other online location, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [Respondent’s] website or location or of a product or service on [Respondent’s] website or location.” Policy, paragraph 4(b).

“Given that the scenarios described in UDRP paragraph 4(b) are non-exclusive and merely illustrative, even where a complainant may not be able to demonstrate the literal or verbatim application of one of the above scenarios, evidence demonstrating that a respondent seeks to take unfair advantage of, abuse, or otherwise engage in behavior detrimental to Complainant’s trademark would also satisfy Complainant’s burden.” [WIPO Overview 3.0](#), section 3.1.

In the present case, the Panel notes that the evidence indicates Respondent was aware of Complainant’s marks when Respondent registered the disputed domain name. Among other things, the use of the disputed domain name to send email identifying the sender as being from “PulteGroup, Inc.” indicates that the disputed domain name was registered with Complainant in mind and with the intent of attempting to falsely imply association with Complainant. Such use of the disputed domain name in an attempt to fraudulently obtain goods or services on credit by associating with Complainant is indicative of bad faith. See *PN II, Inc. v. See PrivacyGuardian.org, Domain Administrator*, WIPO Case No. [D2023-5021](#) (finding bad faith in the registration and use of <pultegrouppcareers.com> due to Respondent’s likely knowledge of Complainant’s marks and Respondent’s use of the disputed domain name to impersonate Complainant’s employee by sending emails purporting to be from Complainant). “Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. ... Many such cases involve the respondent’s use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants, or to solicit payment of fraudulent invoices by the complainant’s actual or prospective customers.” [WIPO Overview 3.0](#), section 3.4. Further, “the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.” [WIPO Overview 3.0](#), section 3.1.4. Finally, Respondent has engaged in a pattern of registering typosquatted domain names in the construction industry and then engaging in phishing or other impersonation. See the two decisions above captioned *Lennar Pacific Properties Management, LLC, Lennar Corporation v. bob Gaskie*. “UDRP panels have held that establishing a pattern of bad faith conduct requires more than one, but as few as two instances of abusive domain name registration. This may include a scenario where a respondent, on separate occasions, has registered trademark-abusive domain names, even where directed at the same brand owner. A pattern of abuse has also been found where the respondent registers, simultaneously or otherwise, multiple trademark-abusive domain names corresponding to the distinct marks of individual brand owners.” [WIPO Overview 3.0](#), section 3.1.2. “Particular circumstances panels may take into account in assessing whether the respondent’s registration of a domain name is in bad faith include ... any respondent pattern of targeting marks along a range of factors, such as a common area of commerce, intended consumers, or geographic location” [WIPO Overview 3.0](#), section 3.2.1. Having reviewed the record, the Panel finds Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

Accordingly, the Panel finds that 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 <pu1tegroup.com> be transferred to Complainant.

/Bradley A. Slutsky/

Bradley A. Slutsky

Sole Panelist

Date: October 6, 2025