

## ADMINISTRATIVE PANEL DECISION

Latham & Watkins LLP v. Name Redacted

Case No. D2025-3395

### 1. The Parties

The Complainant is Latham & Watkins LLP, United States of America, represented by Latham & Watkins LLP, United States of America.

The Respondent is Name Redacted.<sup>1</sup>

### 2. The Domain Name and Registrar

The disputed domain name <lwllp.site> (the “Disputed Domain Name”) is registered with OVH (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 22, 2025. On August 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 25, 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 the Complainant on August 27, 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 28, 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”).

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<sup>1</sup>The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding the transfer of the Disputed Domain Name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST- 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 2, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was September 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 28, 2025.

The Center appointed Gabriela Kennedy as the sole panelist in this matter on October 5, 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 one of the world's largest and best known law firms with over 3,500 attorneys in thirty offices located in fourteen countries and offers professional legal services to some of the world's largest corporations in complex commercial matters.

The Complainant owns various word trademarks for the LATHAM & WATKINS mark ("LATHAM & WATKINS Mark"). The relevant trademark registrations include, inter alia, the United States of America Trademark Registration No. 2413795 for LATHAM & WATKINS registered on December 19, 2000, in Class 42, the United States of America Trademark Registration No. 4986824 for LATHAM & WATKINS registered on June 28, 2016 in Classes 9 and 16, and the United States of America Trademark Registration No. 4976906 for LATHAM & WATKINS registered on June 14, 2016, in Classes 35 and 36.

The Complainant offers professional legal services under the LATHAM & WATKINS Mark and associated logos and terms, such as LW mark (the "LW Mark"), which is featured prominently across the Complainant's online presence, including the profile picture for its Facebook, Instagram, and LinkedIn accounts with more than 270,000 followers combined. The 2026 Vault Rankings page also featured the LW Mark when introducing the Complainant and its services. The Complainant also owns the domain name <lw.com> which incorporates the LW Mark and resolves to the Complainant's official website (the "Complainant's Domain Name").

The Disputed Domain Name was registered on May 6, 2025, long after the Complainant first used the LATHAM & WATKINS Mark and the LW Mark. At the time of the filing of the Complaint, the Disputed Domain Name did not resolve to any active webpage. At the time of the rendering of the Decision, the Disputed Domain Name resolved to an inactive website displaying a message "Site en construction", which means "site under construction" in French (the "Respondent's Website"). The Complainant provided evidence showing that the disputed domain name has been used to impersonate Complainant's employee to extract money from third parties.

#### **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:

- 1) The Disputed Domain Name is confusingly similar to the Complainant's LW Mark. The Disputed Domain Name was registered by the Respondent with a clear intention to play on the LATHAM & WATKINS Mark, the LW Mark and the Complainant's Domain Name. The addition of the descriptive term "llp," which stands for "limited liability partnership", also increases the confusing similarity.

2) The Respondent has no rights or legitimate interests in the Disputed Domain Name. The Respondent has never received the Complainant's authorization, license, consent, or permission to use the LW Mark or register the Disputed Domain Name, and it does not have any relationship with the Complainant. The Respondent also has not made any bona fide offering of goods and services on the Respondent's Website and there is no evidence to show other fair use of the Disputed Domain Name, as it does not resolve to any active webpage. Moreover, the Respondent's only known use of the Disputed Domain Name was to send fraudulent emails impersonating the Complainant and attempting to collect funds from third parties based on fictitious "overdue invoices". Specifically, the Respondent used the Disputed Domain Name to impersonate a partner working in the Complainant's London office ("LW Partner"), to send fraudulent emails and invoices to third parties.

3) The Respondent has registered the Disputed Domain Name and is using it in bad faith. As stated above, the Respondent used the Disputed Domain Name to impersonate the Complainant's employee (i.e. the LW Partner) to fraudulently extract money from third parties. The Respondent also used the LW Partner's name to register the Disputed Domain Name and claimed an association with the Complainant, as shown by the registration information obtained from the Registrar.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

- (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 by the Respondent 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. 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 the LATHAM & WATKINS Mark, and the Panel also finds that the Complainant has established unregistered trademark or service mark rights in respect of the LW Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

The entirety of the Complainant's LW Mark is reproduced within the Disputed Domain Name. Furthermore, the generic Top-Level Domain in this case ".site" may be disregarded for the purposes of assessing confusing similarity under the first element. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's LW Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other term (here, "llp") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the Complainant's LW Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The use of the disputed domain name to send fraudulent emails impersonating the Complainant – while falsely signing off with the Complainant's LATHAM & WATKINS mark – also supports the Panel's findings under the first element. [WIPO Overview 3.0](#), section 1.15.

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.

In the present case, the Respondent did not submit a Response. The fact that the Respondent did not submit a Response does not automatically result in a decision in favor of the Complainant. However, the Respondent's failure to file a Response may result in the Panel drawing appropriate inferences from such default. The Panel may also accept all reasonable and supported allegations and inferences flowing from the Complainant as true (see *Entertainment Shopping AG v. Nischal Soni, Sonik Technologies*, WIPO Case No. [D2009-1437](#); and *Charles Jourdan Holding AG v. AAIM*, WIPO Case No. [D2000-0403](#)).

The Panel notes that the Complainant has provided no license or authorization of any kind to the Respondent to use the Complainant's LW Mark or to apply for or use any domain name incorporating the Complainant's LW Mark. The Respondent would likely not have adopted the Complainant's LW Mark if not for the purpose of creating an impression that the Disputed Domain Name is associated with, or originates from, the Complainant.

There is also no evidence to suggest that the Respondent's use of the Disputed Domain Name is in connection with a bona fide offering of goods or services or be regarded as legitimate noncommercial or fair use. The Respondent registered the Disputed Domain Name using a fake name (which is name of the Complainant's employee), and used the Disputed Domain Name to create email accounts and send fraudulent emails and invoices to impersonate the Complainant with an intent to obtain funds from third parties.

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

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 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 Respondent registered the Disputed Domain Name using a fake name (which is name of one of the Complainant's employees), and used the Disputed Domain Name to register an email account and send fraudulent emails with the intent of extracting funds from third parties. The Respondent has registered and used the Disputed Domain Name to create a likelihood of confusion with the Complainant's LW Mark as to the source, sponsorship, affiliation, or endorsement.

At the time of the rendering of this Decision, the Disputed Domain Name resolved to an inactive website displaying the message "Site en construction" which means "site under construction" in French. 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 available record, the Panel notes the distinctiveness or reputation of the Complainant's mark, and the composition of the Disputed Domain Name, and finds that in the circumstances of this case the current passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation or other types of fraud) 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 <lwllp.site> be transferred to the Complainant.

*/Gabriela Kennedy/*

**Gabriela Kennedy**

Sole Panelist

Date: October 19, 2025