

ADMINISTRATIVE PANEL DECISION

LEGO Holding A/S v. Arshinov Maksym Alexandrovich
Case No. D2025-3647

1. The Parties

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

The Respondent is Arshinov Maksym Alexandrovich, Ukraine.

2. The Domain Name and Registrar

The disputed domain names <lego-ua.com> and <lego-ua.online> are registered with Hosting Ukraine LLC (ua.ukraine) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 9, 2025. On September 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 10, 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 (Privacy Protection, Hosting Ukraine LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 11, 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 September 16, 2025.

On September 11, 2025, the Center informed the parties in Russian and English, that the language of the registration agreement for the disputed domain name is Russian. On September 16, 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 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 September 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 10, 2025.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on October 16, 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 LEGO Holding A/S, based in Denmark, is the owner of the LEGO trademark used in connection with construction toys and other branded products. Founded in 1932, the Complainant has subsidiaries and branches throughout the world including five main hubs, 37 sales offices, five manufacturing sites and over 500 retail stores. The Complainant employs more than 28,500 individuals and LEGO products are sold in more than 130 countries, including in Ukraine.

The Complainant is the owner of a very extensive registered trademark portfolio, including the LEGO word mark in Denmark application date on October 30, 1953, registered on May 1, 1954, No. VR 1954 00604; LEGO word mark registered in Denmark on August 6, 2024, No. VR 2024 01171; LEGO word mark registered with the European Union on October 5, 1998, No. 39800; and LEGO word mark registered in Ukraine on November 15, 1993, No. 2347.

The Complainant is the owner of more than 6,000 domain names containing the LEGO trademark and maintains websites under the domain names <lego.com> and <legoland.com>.

The disputed domain name <lego-ua.online> was registered on May 1, 2025, and <lego-ua.com> was registered on the same date.

Both domain names have resolved to commercial websites that sought to impersonate the Complainant, but due to a website takedown the disputed domain name <lego-ua.online> no longer resolves to any active website.

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 names.

The Complainant says that the dominant part of the disputed domain names comprises the term LEGO, identical to the trademark LEGO as registered by the Complainant in numerous countries. The Complainant contends that both disputed domain names are confusingly similar to its trademark LEGO. Neither the hyphen nor the suffix “ua” detract from the overall impression of similarity, the Complainant says, nor does the addition of the Top-Level-Domains (TLDs) “.online” and “.com” have any impact on the overall impression of the dominant portion of the disputed domain names. The hyphens and suffixes are therefore

irrelevant to determine the confusing similarity between the trademark and the disputed domain names, the Complainant contends.

By using its registered trademark as a dominant part of the disputed domain names, the Respondent exploits the goodwill and the image of its trademark, the Complainant contends, which may result in dilution and other damage for the trademark.

The Complainant says that it has not found that the Respondent has any registered trademarks or trade names corresponding to the disputed domain names. Neither has the Complainant found anything, including in the Whois data, that would suggest that the Respondent has been using LEGO in any way that would give them any legitimate rights in the name. Rather, the Respondent identifies as "Arshinov Maksym Alexandrovich", and consequently may not claim any rights established by common usage. No license or authorization of any kind has been given by the Complainant to the Respondent to use the trademark LEGO.

As no evidence has been found that the Respondent is using the name LEGO as a company name or has any other legal rights in the name, it is quite clear that the Respondent is simply trying to benefit from the Complainant's world famous trademark, the latter contends, pointing out that both disputed domain names have been connected with commercial websites that sought to impersonate the Complainant. Thus the Respondent is not using the disputed domain names in connection with a bona fide offering of goods or services, but instead has intentionally chosen domain names based on a registered trademark in order to generate traffic and income through unauthorized websites offering LEGO products, the Complainant alleges.

The Respondent is not an authorized reseller and the Complainant contends that the Respondent also does not qualify under the criteria laid down in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), ("Oki Data"). All the Oki Data criteria need to be upheld to trigger the safe harbors of paragraphs 4(c)(i) and 4(c)(ii). However, rather than clarifying their lack of a relationship with the Complainant, the Respondent chose to create websites that display the Complainant's official LEGO logo throughout, as well as on its favicon, furthering the likelihood of customer confusion. Moreover, the Complainant points out, the Respondent has incorporated the Complainant's logotype without consent, in order to create a false connection to the Complainant.

In relation to the disputed domain name <lego-ua.online>, a website takedown performed by the Complainant's representatives, means that it no longer resolves to a commercial website, but to an error page that lacks content. In relation to that disputed domain name, the Complainant contends that since the Respondent is failing to make use of it and has not demonstrated any attempt to make legitimate use of it, the Respondent lacks rights or legitimate interests, as confirmed by numerous past panels.

Further, the Complainant points out that the Respondent registered the disputed domain names on May 1, 2025, a date subsequent by decades to when the Complainant registered the trademark LEGO in Ukraine where the Respondent resides, and elsewhere. The Complainant reiterates that both the disputed domain names had previously been connected to unauthorized commercial websites offering LEGO products, where the Complainant's logo was prominently displayed, including on their favicons, contributing to the creation of a confusing similarity with the Complainant. Consequently, the Complainant contends, the Respondent is using the disputed domain names to intentionally attempt to attract Internet users to their websites for commercial gain, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of its website.

However, in relation to the as abovementioned now dormant disputed domain name <lego-ua.online> it is not now being used. According to the Complainant, past panels have noted that the word bad faith "use" in the context of the Policy paragraph 4(a)(iii) does not require a positive act on the part of the Respondent, and passively holding a domain name can constitute a factor in finding bad faith registration and use pursuant to Policy paragraph 4(a)(iii).

In conclusion, the Complainant summarizes its submissions by maintaining that LEGO is a famous trademark worldwide, including in Ukraine, where the Respondent resides. The Complainant says it is clear that the Respondent was aware of the rights the Complainant has in the trademark and the value of said trademark, at the point of registration. There is no connection between the Respondent and the Complainant, the latter points out, and by using the disputed domain names, the Respondent is not making a legitimate noncommercial or fair use, but is misleadingly diverting consumers for their own commercial gain.

B. Respondent

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

6. Discussion and Findings

Procedural Issue – Location of the Respondent

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

The location of the Respondent disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

Having considered all the circumstances of the case, the Panel is of the view that the proceeding should continue. The record shows that Notification of Complaint email was sent to the Respondent's email address disclosed by the Registrar, although the Notification triggered a response that no delivery notification was sent by the destination server. The Center's notification in postal form sent to the Respondent's mailing address as disclosed by the Registrar is reported to have been registered for collection in Ukraine on October 1, 2025. However, the record shows a "Misdirection" notice was entered soon after.

In any event, the Center has fulfilled its notice obligations under the Rules and the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's goodwill as it resides in its trademark. The Respondent deliberately established imitation websites which were wholly unauthorized and blatantly infringed upon the trademark rights of the Complainant. It appears that in any case, there is very little that the Respondent could submit, that would be in any way persuasive in the eyes of the Panel. The Respondent also used a privacy service to disguise its identity, which was subsequently ascertained and communicated to the Complainant by the Center. Moreover, the Panel notes the disputed domain names were registered during the above-referenced international conflict, suggesting the Respondent has maintained access to the Internet and disputed domain names.

The Panel concludes that the Respondent who is allegedly located in Ukraine has been given a fair opportunity to present its case. Everything required was done to notify the Respondent, with documents and communications in two languages which given the facts, should be understandable to the Respondent, who clearly masters English if not Russian (which is the language of the registration agreement). So that the administrative proceedings take place with due expedition, the Panel will proceed to a decision accordingly.

Language of the Proceeding

The language of the registration agreement in this case is Russian. The Complaint has been submitted in English and the Complainant argues that the proceeding should continue in that language based on the following grounds: 1. the Complainant is unable to communicate in Russian and translation of the

Complaint would unfairly disadvantage and burden the Complainant and delay the proceedings and adjudication of this matter; 2. such additional delay, considering the obviously abusive nature of the disputed domain names and its website poses continuing risk to Complainant and unsuspecting consumers seeking Complainant or its products; 3. the disputed domain names are comprised of Latin characters; 4. the disputed domain names have resolved to websites featuring various phrases in English including “LEGO World”, “LEGO City”, or “LEGO Ninja Turtles”; 5. the term LEGO, which is the dominant portion of the disputed domain names, does not carry any specific meaning in the Russian language; 6. to allow the Respondent to dictate the course of this matter and further burden Complainant at this juncture would contravene the spirit of the UDRP and disadvantage Complainant; and 7. pursuant to Paragraph 11(a) of the Rules, the Panel may determine the language of the proceedings having regard to all circumstances, and to help ensure fairness, and maintain an inexpensive and expeditious avenue for resolving domain disputes. The Complainant adds that it would be unduly burdened if it had to arrange and pay for translation, where the Respondent has demonstrated behavior that disrupts Complainant’s business and has already required Complainant to devote significant time and resources to addressing this instance of abuse.

The Respondent did not make any specific submissions with respect to the language of the proceeding and in fact did not respond to the Complaint in any way.

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). Given the fact that it appears on the materials put before the Panel, that the registration and subsequent use of the two disputed domain names, registered by the same Respondent at the same time and utilized in the same manner, was blatantly abusive and in bad faith, and that there is a clear possibility that the registration of the disputed domain names was undertaken in a manner that would make progressing this matter more difficult for the Complainant, the Panel, taking note also of the arguments put forward by the Complainant, concludes that continuing this proceeding in English is warranted.

Hence the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Although the addition of other elements here “-ua” may bear on assessment of the second and third elements, the Panel finds the addition of these elements 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. Neither of the generic Top-Level Domains, “.com” or “.online”, has any impact on the evaluation of confusing similarity.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegitimate activity here, the establishment of imitation websites offering purported Lego products for sale can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Respondent has no authorization from the Complainant to establish such websites including the latter's registered LEGO trademark, and does not fall within the confines of Oki Data as it does not make clear its lack of authorization or legitimate connection with the Complainant, thereby giving the false impression of official status or affiliation with the latter. These abusive activities on the part of the Respondent clearly do not give rise to rights or legitimate interests, and that the website to which <lego-ua.online> resolved after the takedown notice was inactive does not ameliorate the Respondent's situation or somehow give rights or legitimate interests to that disputed domain name to the Respondent.

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 both disputed domain names include the Complainant's long established, very widely known, and distinctive LEGO trademark. Both disputed domain names were registered on the same day and subsequently resolved to unauthorized websites that imitated the Complainant's web presence and reproduced the Complainant's LEGO trademarks without permission. Given also the reputation attached to the LEGO trademark of the Complainant in many countries around the world, it is hard to imagine that the Respondent was not aware of the Complainant's rights in the highly distinctive LEGO trademark at the time of registration earlier in 2025. The websites to which the disputed domain names resolved were clearly aimed at deceiving internet users into thinking they were authorized or affiliated websites of the Complainant, which was and is not the case. That one of those websites was later taken down has no impact on the decision of the Panel here.

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 names <lego-ua.com> and <lego-ua.online> be transferred to the Complainant.

/William A. Van Caenegem/

William A. Van Caenegem

Sole Panelist

Date: October 29, 2025