

ADMINISTRATIVE PANEL DECISION

Lennar Pacific Properties Management, LLC, Lennar Corporation v. bob gaskie

Case No. D2025-3810

1. The Parties

Complainants are Lennar Pacific Properties Management, LLC, United States of America (United States”) and Lennar Corporation, United States, represented by Slates Harwell Campbell, LLP, United States.

Respondent is bob gaskie, United States.

2. The Domain Name and Registrar

The disputed domain name <1ennarcorp.com> (the “Domain Name”) is registered with eNom, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 18, 2025. On September 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted) and contact information in the Complaint. The Center sent an email communication to Complainants on September 22, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainants to submit an amendment to the Complaint. Complainants filed an amendment to the Complaint on the same day.

The Center verified that the Complaint together with the amendment to the 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 September 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on October 14, 2025.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on October 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

Complainants are Lennar Pacific Properties Management, LLC (“Co-Complainant 1”), owner of federal trademark registrations of the LENNAR trademarks or marks noted below, and Lennar Corporation (“Co-Complainant 2”), a related company to Co-Complainant 1 and authorized licensee to the LENNAR marks.

Complainants offer real estate management, brokerage, development, construction, mortgage, and financial services under the LENNAR marks since at least as early as 1973. More specifically, Lennar has been one of the leading homebuilders in the United States since 1954 and develops, builds, and sells homes in twenty-one (21) states in the United States. Under the LENNAR marks, Complainants offer real estate, development, mortgage, financial, and brokerage services in connection with the construction and sale of homes. In connection with these services, Complainants own and operate a website utilizing the LENNAR marks, located at <lennar.com>.

Co-Complainant 1 is the owner/licensor and Co-Complainant 2 is the licensee of the following registered trademarks (the “LENNAR marks”):

- United States registered trademark number 3,108,401 for the LENNAR word mark, registered on June 27, 2006; and
- United States registered trademark number 3,477,143 for the LENNAR word mark, registered on July 29, 2008.

The Domain Name was registered on June 24, 2025, and at the time of filing of the Complaint, resolved to an inactive webpage. The record shows that email communications capabilities based on the Domain Name were used in a fraudulent scheme to impersonate Co-Complainant 2, in attempts to obtain fraudulent purchase requests and enquiries regarding services, materials and/or parts.

5. Parties’ Contentions

A. Complainants

Complainants contend that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainants contend that (i) the Domain Name is confusingly similar to Complainants’ trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainants contend that they have trademark registrations for LENNAR and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known LENNAR products and services.

Complainants note that they have no affiliation with Respondent, and that Respondent is posing as Complainants, by using the Domain Name to set up an email address that passes itself off as Complainants, and to use email communications associated with the Domain Name to pose as Complainants, seeking for payment from Complainants’ vendors.

Complainants further contend that Respondent is using the Domain Name as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the Domain Name. Further, Complainants contend that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainants' rights.

B. Respondent

Respondent did not reply to Complainants' contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainants must satisfy the Panel that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainants have rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to respond to the Complaint, the burden remains with Complainants to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.0](#), section 1.2.1.

Complainants have provided evidence of their rights in the LENNAR trademarks, as noted above under section 4. The record shows that in addition to its registered trademarks, Complainant owns and operates its business as LENNAR and has acquired common law trademark rights through its use. Complainants have therefore proven that it has the requisite rights in the LENNAR trademarks.

With Complainants' rights in the LENNAR trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it is registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainants' LENNAR trademarks. The LENNAR trademarks are recognizable in the Domain Name.

In particular, the Domain Name's inclusion of Complainants' LENNAR trademark in its entirety, with the substitution of a numeral "1" in place of the letter "l" in the LENNAR trademark and the addition of the term "corp" following the LENNAR mark does not prevent a finding of confusing similarity between the Domain Name and the LENNAR trademarks respectively. [WIPO Overview 3.0](#), sections 1.8 and 1.9.

Thus, the Panel finds that Complainants have satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainants and its LENNAR trademarks, and does not have any rights or legitimate interests in the Domain Name. In addition, Complainants assert that Respondent is not authorized to promote Complainant's goods or services and is not related to Complainants. Respondent is also not known to be associated with the LENNAR trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Respondent has used the Domain Name to imitate Complainants and its LENNAR brand, to use email communications capabilities to pass itself off as Complainants, fraudulently listing its email address as "@1lennarcorp.com", impersonating Co-Complainant 2's employees in attempts to obtain fraudulent purchase requests and enquiries regarding services, materials and/or parts. UDRP panels have consistently held that use of a domain name for illegal activity — such as impersonation or passing off — can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Accordingly, Complainants have provided evidence supporting their prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name, and Complainants has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have 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 you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's

mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainants have provided ample evidence to show that registration and use of the LENNAR trademarks long predate the registration of the Domain Name. Complainants are also well established and known. Indeed, the record shows that Complainant’s LENNAR trademarks and related products and services are widely known and recognized. Therefore, the Panel is of the view that Respondent was aware of the LENNAR trademarks when it registered the Domain Name. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel thus finds that Respondent’s awareness of Complainant’s trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the composition of the Domain Name, which includes Complainant’s LENNAR trademark and the substitution of the letter “l” with a numeral “1” which resembles the letter “l” and the addition of the term “corp” suggests Respondent’s actual knowledge of Complainant’s rights in the LENNAR trademarks at the time of registration of the Domain Name and its effort to opportunistically capitalize on the registration and use of the Domain Name.

Moreover, Respondent registered and is using the Domain Name to confuse, mislead and defraud Complainant’s vendors so as to intercept and redirect payment to Complainants by its vendors. Respondent has used the Domain Name to enable it to use email communications capabilities to pass itself off as Complainant, including listing its email address as “1ennarcorp.com”, in attempts to obtain fraudulent purchase requests and enquiries regarding services, materials and/or parts. UDRP panels have consistently held that Respondent’s use of the Domain Name to trade off goodwill in Complainant’s well-known trademark and impersonate Complainant constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#).

Further, the Panel also notes the failure of Respondent to submit a response.

Accordingly, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <1ennarcorp.com> be transferred to the Complainant.

/Kimberley Chen Nobles/
Kimberley Chen Nobles
Sole Panelist
Date: October 28, 2025