

ADMINISTRATIVE PANEL DECISION

LEGO Holding A/S v. jota martins

Case No. D2025-4615

1. The Parties

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

The Respondent is jota martins, Brazil.

2. The Domain Name and Registrar

The disputed domain name <legostorebr.shop> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 6, 2025. On November 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 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 (Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 12, 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 November 14, 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 the Respondent of the Complaint, and the proceedings commenced on November 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 10, 2025.

The Center appointed Luca Barbero as the sole panelist in this matter on December 12, 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 a Danish construction toy company, founded in 1932. With subsidiaries and branches throughout the world including: five main hubs, 37 sales offices, five manufacturing sites and over 500 retail stores, the Complainant's business of making and selling LEGO branded toys has grown remarkably over the years.

To date, the Complainant employs more than 28,500 individuals and LEGO products are sold in more than 130 countries, including in Brazil, and has expanded its use of the LEGO trademark to, *inter alia*, computer hardware and software, books, videos and computer controlled robotic construction sets.

The Complainant is the owner of numerous trademark registrations worldwide for LEGO, including the following:

- Brazil trademark registration No. 006707319 for LEGO (word mark), filed on January 29, 1974 and registered on June 25, 1978, in class 16;
- Brazil trademark registration No. 006707327 for LEGO (figurative mark), filed on January 29, 1974 and registered on June 25, 1978, in class 16;
- Brazil trademark registration No. 825261023 for LEGO (figurative mark), filed on January 31, 2003 and registered on May 8, 2007, in class 28.

The Complainant is also the owner of the domain names <lego.com>, registered on August 22, 1995, <legoland.com>, registered on August 4, 1998, <lego.com.br>, registered on November 20, 2017, and <legostore.com.br>, registered on January 12, 2009.

The disputed domain name <legostorebr.shop> was registered on September 11, 2025 and is pointed to a website promoting the sale of the Complainant's official products "2 Fast 2 Furious Nissan Skyline GT-R (R34)" of the "LEGO® Speed Champions Toys" collection. The LEGO figurative mark is used as favicon and the footer features the exact text as the one previously displayed on the Complainant's website "www.legostore.com.br" and currently available on "www.lego.com.br" (to which <legostore.com.br> currently redirects), using the same purple color adopted by the Complainant for footers across all its websites.

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 is confusingly similar to the trademark LEGO in which the Complainant has rights. It reproduces the trademark in its entirety with the mere addition of the generic term "store" followed by the geographical term "br" (abbreviation for "Brazil") and the generic Top-Level domain ("gTLD") ".shop", which do not diminish the confusing similarity between the disputed domain name and the Complainant's trademark.

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name since: i) the Respondent is not commonly known by the disputed domain name; ii) the Respondent has never been granted license, authorization or permission by the Complainant to use its LEGO mark in any way; iii) the Respondent has not been using the disputed domain name in connection with a bona fide offering of goods or services since it is pointed to a website offering the Complainant's official products "2 Fast 2 Furious Nissan Skyline GT-R (R34)" of the "LEGO® Speed Champions Toys" collection, whilst also featuring the Complainant's logo on both the website and as the browser favicon and copying the footer of Complainant's official website at "www.legostore.com.br", featuring the exact text in connection with the purple color used by Complainant in footers across its websites.

With reference to the circumstances evidencing bad faith, the Complainant indicates that the Respondent registered and is using the disputed domain name in bad faith because: i) the Complainant has obtained considerable goodwill and world renown associated with the LEGO mark also in Brazil where the Respondent is based; ii) the Complainant's rights in the LEGO mark long predate the registration of the disputed domain name; iii) the website features the Complainant's logo, both on the site itself and as the browser favicon, and also copies exactly the footer from the Complainant's website found at its <legostore.com.br> domain name. The Complainant concludes that the Respondent is using the disputed domain name to intentionally attempt to attract Internet users to a website 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.

The Complainant further points out that the Respondent, at the time of initial filing of the Complaint, had employed a privacy service to hide its identity, which past Panels have held serves as further evidence of bad faith registration and use.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel 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." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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 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. Indeed, the Complainant has provided evidence of ownership of valid trademark registrations for LEGO.

The entirety of the mark is reproduced 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 the terms “store” and “br” (which can be interpreted as an abbreviation for “Brazil”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms do 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.

In addition, the gTLD “.shop” can be disregarded under the first element confusing similarity test, being a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1.

Therefore, 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 Panel notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant’s trademark.

Moreover, there is no element from which the Panel could infer the Respondent’s rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The Panel also finds that the Respondent’s use of the disputed domain name does not amount to a *bona fide* offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant’s trademark.

Indeed, the disputed domain name resolves to a website promoting the sale of one of the Complainant’s official collection toys, using the LEGO figurative mark and reproducing a footer taken from the Complainant’s official website for Brazil. The Panel finds that the content of the Respondent’s website appears designed to reinforce the impression that the website is owned and operated by the Complainant or one of its affiliated entities.

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

Therefore, the Panel finds the second element of the Policy has also 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, in view of the Complainant's prior registration and use of the trademark LEGO in connection with the Complainant's products, promoted online via the Complainant's website at "www.lego.com", "www.legoland.com" and "www.lego.com.br" as far as Brazil is concerned, and considering the well-known character of the mark, the Panel finds that the Respondent knew or should have known the Complainant's trademark at the time of registration of the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

Moreover, the circumstance that the disputed domain name resolves to a website offering for sale one of the Complainant's official toys collection, features the Complainant's logo, both on the site itself and as the browser favicon and publishes a footer identical to that of the Complainant's website currently found at "www.lego.com.br", suggests that the Respondent registered the disputed domain name to target the Complainant and its famous LEGO mark, and used it in order to intentionally attempt to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of its website according to paragraph 4(b)(iv) of the Policy.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <legostorebr.shop> be transferred to the Complainant.

*/Luca Barbero/
Luca Barbero
Sole Panelist
Date: December 26, 2025*