

## **ADMINISTRATIVE PANEL DECISION**

McGraw Hill LLC v. Justin R  
Case No. D2025-4642

### **1. The Parties**

The Complainant is McGraw Hill LLC, United States of America (U.S.), represented by Leason Ellis LLP, U.S.

The Respondent is Justin R, China.

### **2. The Domain Name and Registrar**

The disputed domain name <mcgrawhill.store> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 7, 2025. On November 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (UNKNOWN REGISTRANT) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 13, 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 16, 2025.

The Center appointed Gökhan Gökçe as the sole panelist in this matter on December 18, 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 Delaware company whose operations are based in Ohio. It has been in the business of creating, publishing, and selling educational materials for over one hundred years, mainly in the U.S., but also throughout the world.

In conjunction with its business, the Complainant registered MCGRaw HILL (U.S. federal trademark): registration no. 4664266, registration date December 30, 2014, International Classes 9, 16, 41, and 42 for goods and services that include computer software, CD-ROMs, DVDs and educational services.

The Complainant further owns the domain name <mcgrawhill.com>, which redirects to its corporate website at “www.mheducation.com”, where the Complainant offers its goods and services since December 2000.

The Respondent is an individual in China. The disputed domain name was registered on September 24, 2025. The disputed domain name currently resolves to a landing page that offers the disputed domain name for sale.

#### **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 Complainant's trademark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name was registered and is being used in bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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 in bad faith.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations provided in the Complaint as true. See section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views stated therein.

#### **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 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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Finally, the addition of a generic Top-Level Domain ("gTLD") such as ".store" in a domain name is technically required. Thus, it is well established that such an element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark. See [WIPO Overview 3.0](#), section 1.11.1.

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.

In the case at hand, the Complainant asserts that the Respondent has no license or other authorization to use the Complainant's trademark in the disputed domain name or in any other way. The Respondent, on the

other hand, is in default and thus has not come forward with evidence to rebut the Complainant's *prima facie* case. Nonetheless, the Panel will review the record to see whether the Respondent might have rights or legitimate interests in the disputed domain name per Policy paragraphs 4(c)(i), (ii) and (iii). In doing so, the Panel will accept as true all reasonable contentions of the Complainant. [WIPO Overview 3.0](#), section 2.1. Per Policy paragraph 4(c)(i), the Respondent can show rights and legitimate interests in the disputed domain name if it shows that, before being notified of this dispute, it was using the disputed domain name to make a bona fide offering of goods and services. In the present case, the Respondent has only used the disputed domain name to resolve to a landing page where it is offered for sale along with the possibility to purchase other domain names. In the Panel's view, this is a bad faith, not a good faith, offering of goods and services per Policy paragraph 4(b)(iv), about which more in the bad faith Section of this Decision below.

Further, the Respondent cannot claim to be commonly known by the disputed domain name per Policy paragraph 4(c)(ii) because his name is otherwise. And still further, the Respondent's attempts to sell the disputed domain name on a landing page certainly are not a legitimate noncommercial or fair use of the disputed domain name since they are quintessentially commercial in intent. Moreover, the identical disputed domain name carries a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

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.

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 considers that the record of this case reflects that the Respondent has registered or acquired the disputed domain name primarily for the purpose of selling the disputed domain name to the trademark owner (or its competitor) for valuable consideration in excess of its documented out-of-pocket costs directly related to the disputed domain name (absent any evidence from the Respondent to the contrary). Paragraph 4(b)(i) of the Policy. In this case, the disputed domain name is offered for sale for USD 1,450. This figure likely exceeds the out-of-pocket expenses, which is an indication of bad faith.

The circumstances indicate that the Respondent registered or acquired the disputed domain name for the purpose of resale.

In general, registration of a domain name for subsequent resale (including for a profit) does not by itself support a claim that the respondent registered the domain name in bad faith with the primary purpose of selling it to the trademark owner of its competitor. However, if the circumstances of the case indicate that the respondent's intent in registering the disputed domain name was in fact to profit in some fashion from or otherwise exploit the complainant's trademark, UDRP panels generally find bad faith on the part of the respondent. [WIPO Overview 3.0](#), section 3.1.1.

In the present case, the disputed domain name replicates the Complainant's distinctive trademark. A basic Internet search against the disputed domain name returns solely the MCGRAW HILL business, operated by the Complainant.

Such conduct demonstrates that the Respondent registered or acquired the disputed domain name primarily for the purpose of selling it to the Complainant or a competitor thereof, for valuable consideration in excess of its out-of-pocket costs (absent any evidence from the Respondent to the contrary). The nature of the disputed domain name, which identically reproduces the well-known MCGRAW HILL trademark, further reinforces the Panel's view that the Respondent must have had knowledge of the Complainant and its mark at the time of registration.

As the Respondent has used a privacy or proxy service and there is evidence the Respondent may have provided false or incomplete contact information, the Panel also finds this conduct is a further indication of bad faith (see [WIPO Overview 3.0](#), section 3.6).

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 <mcgrawhill.store> be transferred to the Complainant.

*/Gökhan Gökçe/*

**Gökhan Gökçe**

Sole Panelist

Date: January 1, 2026