

## **ADMINISTRATIVE PANEL DECISION**

LEGO Holding A/S v. JANADY CHEN

Case No. D2025-4644

### **1. The Parties**

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

The Respondent is JANADY CHEN, Taiwan Province of China.

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

The disputed domain name <legotoyc.com> is registered with Spaceship, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 10, 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 November 11, 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 Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 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 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 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 5, 2025.

The Center appointed Levan Nanobashvili as the sole panelist in this matter on December 10, 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, formerly known as LEGO Juris A/S, was founded in Denmark in 1932. The Complainant produces and distributes construction toys and other products. The Complainant has subsidiaries and branches all over the world and employs more than 28500 individuals. The Complainant's products are sold in more than 130 countries, including China.

The first application for LEGO trademark was filed in Denmark in 1953. Currently, the Complainant owns numerous trademarks worldwide for LEGO, including the following:

- 1) Denmark registration No. VR 1954 00604, registered on May 1, 1954, duly renewed, International Class 28;
- 2) China registration No. 135134, registered on January 5, 1980, duly renewed, International Class 28; and
- 3) United States of America registration No. 1018875, registered on August 26, 1975, duly renewed, International Class 28.

The Complainant holds more than 6000 domain names containing LEGO trademarks, including <lego.com> and <legoland.com>.

The disputed domain name was registered on May 29, 2025. At the time of filing of the Complaint and of this Decision, the disputed domain name resolves to an active website offering for sale LEGO branded products alongside other competing third-party products.

The Complainant sent a cease-and-desist letter to the Respondent on June 24, 2025. The Respondent did not reply.

#### **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:

- (i) LEGO is a well-known trademark. LEGO is consistently included in the indexes of the most reputable trademarks in the world. Moreover, the LEGO trademark is well known in China, where the Respondent presumably resides;
- (ii) the well-known status of the LEGO trademark has been confirmed in numerous UDRP decisions;
- (iii) the disputed domain name is confusingly similar to the Complainant's LEGO trademark. In addition to the mark, the disputed domain name comprises the letters "toyc", which does not diminish the confusing similarity. The generic Top-Level Domain ("gTLD") ".com" does not have any impact on the overall impression of the disputed domain name, and, therefore, is irrelevant in determining the confusing similarity;

- (iv) anyone could incorrectly assume that the disputed domain name is related to the Complainant or that there is some relationship with the Complainant;
- (v) by using the trademark as a dominant part of the disputed domain name, the Respondent exploits the goodwill of the Complainant's trademark, which may result in the dilution and other damage to the Complainant's trademark;
- (vi) the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- (vii) the disputed domain name resolves to an active website offering for sale LEGO-branded products and other third-party products. This suggests that the Respondent is not using the domain name in connection with a bona fide offering of goods or services. Moreover, the Respondent uses 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 the website;
- (viii) the Respondent's website displays no disclaimers indicating that the site is neither endorsed by nor affiliated with the Complainant;
- (ix) the Complainant was unable to find any registered trademarks of the Respondent corresponding to the disputed domain name. Moreover, the Complainant has never given any authorization or license to the Respondent to use the LEGO mark. The Respondent has never maintained any commercial or contractual relationship with the Complainant, nor is it an authorized dealer;
- (x) the disputed domain name was registered decades after the registration of the LEGO trademark. The Respondent cannot claim to have been using the LEGO trademark without being unaware of the Complainant's rights; and
- (xi) prior to filing the Complaint, the Complainant sent a cease-and-desist letter to the Respondent, requesting a voluntary transfer of the disputed domain name and offering compensation for the expenses of registration and transfer. The Complainant sent several reminders; however, the Respondent did not reply.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 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 other terms, here "toyc", may bear on assessment of the second and third elements, the Panel finds the addition of such a term 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.

The addition of the gTLD “.com” is a standard registration requirement and, as such, is disregarded under the first element confusing similarity test. [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.

The Respondent has not rebutted the Complainant’s contention that it has not authorized the Respondent to use the LEGO mark, or that there is no relationship between them that would justify the Respondent’s registration and use of the Complainant’s trademark in the disputed domain name and on the associated website.

At the time of filing of the Complaint and this Decision, the disputed domain name resolves to an active website offering for sale LEGO-branded products and other third-party competing products.

According to a consensus view among UDRP panels, resellers using a domain name containing a complainant’s trademark to undertake sales related to the complainant’s goods may be making a bona fide offering of goods and thus have a legitimate interest in such a domain name. [WIPO Overview 3.0](#), section 2.8.1. Outlined in *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) (the “Ok! Data Test”), the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- (i) the respondent must actually be offering the goods at issue;
- (ii) the respondent must use the site to sell only the trademarked goods;
- (iii) the site must accurately and prominently disclose the registrant’s relationship with trademark holder; and
- (iv) the respondent must not try to “corner the market” in domain names reflecting trademark.

The Panel finds that the Respondent fails to satisfy at least the second and the third requirements of the Ok! Data Test.

The evidence on file demonstrates that the Respondent is using the disputed domain name to sell the Complainant’s trademarked products and, concurrently, competing products of other producers. Such use of the disputed domain name does not comply with the second requirement of the Ok! Data Test, which mandates that the site must only be used to sell the trademarked goods.

The evidence on file also confirms the absence of a clear and prominent disclaimer on the Respondent’s website. The absence of such a disclosure regarding the Respondent’s lack of affiliation with the Complainant is likely to cause consumers to erroneously believe the site is the official outlet or an authorized

dealer. This failure to disclose information as to lack of relationship with the Complainant amounts to a breach of the third requirement of the Oki Data Test.

The Panel undertook pursuant to paragraphs 10 and 12 of the Rules limited independent factual research on the Respondent's website, which further confirmed the evidence on file. The Panel may undertake limited factual research into matters of public record if such information is useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.

Accordingly, the Panel finds that the requirements of the Oki Data Test are not satisfied in the present case. The Respondent's use of the disputed domain name to offer the Complainant's branded products alongside competing products of other commercial origin does not confer rights or legitimate interests upon 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 the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, as provided for in paragraph 4(b)(iv) of the Policy. As demonstrated by the evidence on file, the disputed domain name resolves to an active website offering the Complainant's products and competing products of other producers.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The Respondent failed to rebut the Complainant's assertion that it had not licensed or otherwise authorized the Respondent to use the LEGO mark.

Panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

A significant number of panels have consistently found that the Complainant's LEGO trademark is well known worldwide (*LEGO Juris A/S v. chen bing*, WIPO Case No. [D2023-2692](#); *LEGO Juris A/S v. Contact Privacy Inc. Customer 0163125175 / Daniel Perez, Lego and Jewelry Queen*, WIPO Case No. [D2022-3025](#); *LEGO Juris A/S v. Nabiev Ravshan*, WIPO Case No. [D2021-2061](#); *LEGO Juris A/S v. Lucy huston and jacy fone*, WIPO Case No. [D2021-1667](#); and *LEGO Juris A/S v. Level 5 Corp*, WIPO Case No. [D2008-1692](#)).

The Panel finds that the Complainant's trademark registrations significantly predate the registration date of the disputed domain name. The evidence before the Panel demonstrates that the Complainant registered the LEGO trademark in 1954, and the Respondent registered the disputed domain name in 2025. A significant gap, in the present case more than seventy years, between registration of the Complainant's trademark and the Respondent's registration of the disputed domain name containing the trademark at issue can indicate the bad faith registration (*Hi-TEC Sports International Holdings B.V. v. Thomas Birch, Finlay Nolan, Anna Akhtar, Tyler Reynolds, Keira Donnelly*, WIPO Case No. [D2024-1891](#)).

The Respondent failed to reply to the cease-and-desist letter and did not explain or justify the use of the Complainant's trademark in the disputed domain name. UDRP panels have consistently held that the failure to respond to a cease-and-desist letter may be a factor in establishing bad faith registration and use of a

domain name (*Carrefour v. Jan Everno, The Management Group II*, WIPO Case No. [D2017-0586](#); *Remy Cointreau Luxembourg S.A. v. Deividas Samulionis, UAB "Sentosa"*, WIPO Case No. [D2016-2232](#); and *Encyclopaedia Britannica, Inc. v. John Zuccarini and The Cupcake Patrol a/ka Country Walk a/k/a Cupcake Party*, WIPO Case No. [D2000-0330](#)).

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 <legotoyc.com> be transferred to the Complainant.

*/Levan Nanobashvili/*

**Levan Nanobashvili**

Sole Panelist

Date: December 19, 2025