

## **ADMINISTRATIVE PANEL DECISION**

Lennar Pacific Properties Management, LLC and Lennar Title, LLC v.  
Funke Giwa  
Case No. D2025-4762

### **1. The Parties**

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

The Respondent is Funke Giwa, United States.

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

The disputed domain name <thelennartitle.com> 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 17, 2025. On November 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 19, 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 Švitrigailos / REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 19, 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 amendment to the Complaint on November 19, 2025.

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 the Respondent of the Complaint, and the proceedings commenced on November 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 17, 2025.

The Center appointed Andrew J. Park as the sole panelist in this matter on December 19, 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 Complainants, Lennar Pacific Properties Management, LLC ("LPPM") and Lennar Title, LLC ("Lennar Title") are both Delaware limited liability companies and have consolidated their grievances against the Respondent in a single Complaint (LPPM and Lennar Title are collectively referred to as the "Complainants"). LPPM is the owner of multiple United States federal trademark registrations for the LENNAR mark, which has been used in connection with residential real estate development, construction, and property management services since at least 1973. Lennar Title is a related company and an authorized licensee of the LENNAR mark, using the mark in connection with title and settlement services and operating the website "www.lennartitle.com".

Accordingly, the Complainants share a common legal interest in the LENNAR marks and in the protection of those marks from misuse. Both Complainants are affected by, and are the target of, the Respondent's conduct in registering and using the disputed domain name <thelennartitle.com>, which incorporates the LENNAR mark in its entirety.

The Respondent's conduct has clearly impacted the individual legal interest of each Complainant.

Complainant LPPM owns numerous trademark registrations including the following:

Trademark	Serial No.	Reg. No.	Reg. Date	Goods/Services	Owner
LENNAR	76566759	3,108,401	June 27, 2006	Real estate management; brokerage; financial, mortgage and title services, etc;	Lennar Pacific Properties Management, LLC
LENNAR	76673170	3,477,143	July 29, 2008	Real estate listing; management; development and construction services, etc;	Lennar Pacific Properties Management, LLC
LENNAR TITLE	90056188	6,817,154	August 16, 2022	Real estate escrow, closing, and title searching services.	Lennar Pacific Properties Management, LLC

The disputed domain name <thelennartitle.com> was registered by the Respondent on October 8, 2025. On October 24, 2025, the Complainants sent a cease-and-desist letter to the Respondent regarding the registration and bad faith use of the disputed domain name. The Respondent failed to respond to the cease and desist letter and has likewise failed to submit any response to the Complaint.

## 5. Parties' Contentions

### A. Complainants

The Complainants request consolidation into a single proceeding on the basis that they are affiliated companies, and both have legal rights in the LENNAR trademark and have a common grievance against the Respondent. Both Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

(1) The disputed domain name <thelennartitle.com> is identical or confusingly similar to the Complainants' LENNAR and LENNAR TITLE trademarks, in which the Complainants have rights. The disputed domain name incorporates the LENNAR and LENNAR TITLE trademarks in their entirety. The addition of the definite article "the" does not prevent a finding of confusing similarity since the mere addition of a generic or non-distinctive term to a complainant's trademark is insufficient to dispel confusing similarity between the Complainant's trademark and the disputed domain name, particularly where the trademark remains clearly recognizable within the disputed domain name.

(2) The Complainants assert that the Respondent has no rights or legitimate interests in the disputed domain name, <thelennartitle.com>. The Complainants have never authorized nor licensed the Respondent to use the LENNAR nor LENNAR TITLE trademarks (LENNAR and LENNAR TITLE trademarks are collectively referred to as the "LENNAR" marks), and the Respondent is not affiliated with the Complainants in any way. The disputed domain name is not being used for a bona fide offering of goods or services, nor is it being used for legitimate noncommercial or fair use purposes. The Complainants contend that the passive holding of the disputed domain name in and of itself does not constitute a bona fide offering of goods or services. Also, the Respondent has presented no evidence of being commonly known by the disputed domain name, nor of any legitimate purpose for using it. The Complainants have developed significant rights to the LENNAR marks over the past years. Therefore, there is no apparent reason for the Respondent to have registered the disputed domain name other than to take advantage of the goodwill and reputation associated with the Complainant's LENNAR marks. These facts support the conclusion that the Respondent lacks any rights or legitimate interests in the disputed domain name.

(3) The Complainants contend that the Respondent's registration and use of the disputed domain name constitute bad faith within the meaning of the UDRP. The disputed domain name was registered in bad faith and is being used in bad faith by the Respondent.

In particular, the Complainants submit that the Respondent's non-use of the disputed domain name, when considered in light of the totality of the circumstances, supports a finding of bad faith. These circumstances include: (i) the distinctiveness and longstanding reputation of the well-known LENNAR marks; (ii) the Respondent's failure to respond to the Complainants' cease and desist correspondence or to provide any evidence of actual or contemplated good-faith use of the disputed domain name; and (iii) the Respondent's concealment of its identity through the use of a privacy or proxy service, or the provision of false or incomplete contact information.

The Complainants further emphasize that the Respondent's failure to respond to the cease and desist letter, combined with the Respondent's deliberate choice to retain a privacy protection service in order to conceal its identity, reinforces an inference of bad faith registration and use. Under well-established UDRP precedent, the passive holding of a domain name does not prevent a finding of bad faith where other indicia of bad faith are present. Moreover, the Complainants argue that the Respondent's use of a proxy service appears to have been employed for the purpose of avoiding contact by the Complainants or notice of a UDRP proceeding, which further supports a finding of bad faith. Given the composition of the disputed domain name, there exists a high likelihood that it could be used for malicious purposes, including phishing schemes designed to obtain personal or financial information, or for wire fraud in connection with the Complainants' real estate title business.

Finally, the Complainants assert that the disputed domain name incorporates the LENNAR trademark in its entirety with the mere addition of the definite article “the”, a practice that may be characterized as a form of deliberate domain name impersonation and constitutes further evidence of bad faith registration.

For all of the foregoing reasons, the Complainants submit that the Respondent has registered and is using the disputed domain name in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **A. Consolidation of Proceedings - Multiple Complainants**

The Complaint has been filed by two Complainants, LPPM and Lennar Title. The Panel finds that the Complainants share a common legal interest in the LENNAR trademark, as LPPM is the registered owner of the mark and Lennar Title is a related entity and authorized licensee using the mark in the course of its business. The Panel further finds that the disputed domain name <thelennartitle.com> is directed at the Complainants’ shared trademark rights and that the Respondent’s conduct has affected both Complainants in a similar manner. In the absence of any objection by the Respondent, the Panel determines that consolidation of the Complainants in this proceeding is appropriate.

### **B. Identical or Confusingly Similar**

This element consists of two parts: first, whether the Complainants have rights in a relevant trademark and, second, whether the disputed domain name is identical or confusingly similar to that trademark.

The Panel finds that the Complainants have established registered rights in the LENNAR trademark. The disputed domain name incorporates the LENNAR mark in its entirety. Further, it incorporates the LENNAR TITLE mark in its entirety with the mere addition of the definite article “the”. In the Panel’s view, the addition of such a non-distinctive term does not prevent a finding of confusing similarity, as it does not alter the overall impression of the disputed domain name and the Complainants’ trademark remains clearly recognizable within it.

In determining whether a domain name is identical or confusingly similar to a trademark, the generic Top-Level Domain (“gTLD”) is typically disregarded (see *Proactiva Medio Ambiente, S.A. v. Proactiva*, WIPO Case No. [D2012-0182](#); WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.11.1).

For these reasons, pursuant to the Policy, paragraph 4(a)(i), the Panel finds that the disputed domain name is confusingly similar to the Complainants’ trademarks and the first element of the Policy has been established.

### **C. Rights or Legitimate Interests**

Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such a prima facie case is made, the Respondent carries the burden of demonstrating its rights or legitimate interests in the disputed domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy. [WIPO Overview 3.0](#), section 2.1.

Pursuant to paragraph 4(c) of the Policy, the Respondent may establish its rights or legitimate interests in the disputed domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the Respondent of the dispute, the Respondent's use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or

(ii) the Respondent (as an individual, business, or other organization) has been commonly known by the disputed domain name, even if it has acquired no trademark or service mark rights; or

(iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Here, having reviewed the available records, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name <thelennartitle.com>. The Respondent has not rebutted the Complainants' 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 finds that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy. The Complainants have not authorized, licensed, or otherwise permitted the Respondent to use the LENNAR marks, and there is no evidence of any relationship between the Parties that could give rise to any rights or legitimate interests on the part of the Respondent.

The disputed domain name incorporates the Complainants' distinctive and well-established LENNAR mark in its entirety. Further, it incorporates the LENNAR TITLE mark in its entirety with the mere addition of the non-distinctive definite article "the". The Panel finds that the composition of the disputed domain name does not suggest any legitimate purpose or descriptive meaning and instead directly evokes the Complainants and their business activities. The Respondent has made no active use of the disputed domain name and has provided no evidence of any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use.

In assessing the Respondent's lack of rights or legitimate interests, the Panel takes into account the circumstances of the passive holding of the disputed domain name. Given the distinctiveness and reputation of the LENNAR trademark, the Panel finds that any use of the disputed domain name by an unaffiliated third party would inevitably create a false association with the Complainants. The Panel further notes that the Respondent has failed to come forward with any explanation for its registration of the disputed domain name or to articulate any plausible good-faith reason for selecting a domain name that so clearly reflects the Complainants' trademark.

In these circumstances, the Panel finds that the passive holding of the disputed domain name does not support any claim to rights or legitimate interests. The Respondent's failure to submit a Response or otherwise rebut the Complainants' prima facie case further reinforces the conclusion that no such rights or legitimate interests exist.

Accordingly, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name under paragraph 4(a)(ii) of the Policy, and that the second element of the Policy has been established.

#### **D. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy provides a non-exclusive list of circumstances that evidence registration and use of a domain name in bad faith. Any one of the following is sufficient to support a finding of bad faith:

(i) circumstances indicating that the respondent has registered or 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 the complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has 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 the respondent has engaged in a pattern of such conduct; or

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

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its 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 the respondent's website or location or of a product or service on the respondent's website or location.

The Complainants contend that the Respondent registered and is using the disputed domain name in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

The Respondent has failed to submit any Response to the Complaint and has therefore not rebutted the Complainants' allegations. Notwithstanding the Respondent's default, the Panel must still determine whether the Complainants' assertions are supported by the evidence and whether a finding of bad faith registration and use may properly be made on the record before it.

The Panel finds that the Respondent registered and is using the disputed domain name in bad faith. The disputed domain name incorporates the Complainants' distinctive and well-established LENNAR trademark in its entirety. Further, it incorporates the LENNAR TITLE mark in its entirety with the mere addition of the non-distinctive article "the", and closely mirrors the domain name <lennartitle.com> used by Lennar Title in connection with its title and settlement services. The disputed domain name was registered in October 2025, decades after the Complainants began using the LENNAR marks in commerce and long after the Complainants had secured extensive trademark registrations. In these circumstances, the Panel finds it implausible that the Respondent was unaware of the Complainants or their trademark rights at the time of registration of the disputed domain name.

The Panel further notes that the disputed domain name does not resolve to an active website and is being passively held. However, passive holding does not prevent a finding of bad faith. Given the distinctiveness and reputation of the LENNAR trademark, the nature of the disputed domain name, and the absence of any plausible good-faith use by the Respondent, the Panel finds that the passive holding of the disputed domain name supports, rather than negates, an inference of bad faith registration and use.

The Panel also considers the heightened risk that the disputed domain name could be used for fraudulent purposes, including phishing, impersonation, or other deceptive conduct targeting Internet users seeking the Complainants' title and real estate services. The composition of the disputed domain name creates a strong likelihood of confusion as to source, sponsorship, or affiliation with the Complainants, particularly in the context of real estate and title transactions, where trust and authenticity are critical. The Respondent's failure to respond to the Complainants' cease and desist correspondence or to this proceeding, and the absence of any explanation for the registration of the disputed domain name, further reinforce the Panel's conclusion that the Respondent registered and is using the disputed domain name in bad faith.

Accordingly, the Panel finds that the Respondent's conduct falls within paragraph 4(b)(iv) of the Policy and concludes that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) 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 <thelennartitle.com> be transferred to the Complainant.

*/Andrew J. Park/*

**Andrew J. Park**

Sole Panelist

Date: January 2, 2026