

ADMINISTRATIVE PANEL DECISION

Lennar Pacific Properties Management, LLC, and Lennar Corporation v. Jan Everno, Name Management Group
Case No. D2025-5286

1. The Parties

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

Respondent is Jan Everno, Name Management Group, United States of America.

2. The Domain Name and Registrar

The disputed domain name <lennarvisual.com> (“Disputed Domain Name”) is registered with DevilDogDomains.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 17, 2025. On December 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 18, 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 (Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on December 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on December 22, 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 Respondent of the Complaint, and the proceedings commenced on December 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 13, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on January 14, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on January 21, 2026. 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

Since 1954, Complainants have developed, built, and sold home in twenty-one (21) states in the United States. Complainants have offered real estate management, brokerage, development, construction, mortgage, and financial services under the LENNAR trademark ("LENNAR Mark") since at least as early as 1973.

In connection with these services, Complainants owns and operates a website utilizing the LENNAR Mark, located at "www.lennar.com". In addition, Complainants use their registered domain name to conduct all email correspondence using the email address "[...]@lennar.com" to carry out its business.

Complainants are the owners of the following trademark registrations for the LENNAR Mark:

United States Registration No. 3,108,401 for LENNAR on June 27, 2006, in International Classes 35, 36, and 37; and

United States Registration No. 3,477,143 for LENNAR on July 29, 2008, in International Classes 36 and 37.

The Disputed Domain Name was registered on November 29, 2025. At the time of filing the Complaint, the Disputed Domain Name resolved to a website displaying a malicious pop-up scam with illegal streaming content and/or virus scam site.

5. Parties' Contentions

A. Complainants

Complainants contend that they have enforceable trademark rights in the LENNAR Mark for purposes of this proceeding. Complainants further contend that Respondent's registration of the Disputed Domain Name is virtually identical and/or confusingly similar to the LENNAR Mark, as it contains the LENNAR Mark in its entirety, with only the addition of the descriptive word "visual" after the word "lennar."

Complainants submit that Respondent has not used the Disputed Domain Name for any bona fide offering of goods or services. Complainants further submits that the Disputed Domain Name redirects visitors to a malicious pop-up scam with illegal streaming content and/or virus scam site. Complainants assert that such use of the Disputed Domain Name for illegal activity can never confer rights or legitimate interest on the Respondent. [WIPO Overview 3.0](#), section 2.13.1. Additionally, the passive holding of a domain name in and of itself does not constitute a bona fide offering of goods or services.

Complainants further submit that they sent a cease-and-desist letter to Respondent on December 1, 2025, regarding registration of the Disputed Domain Name and Respondent has failed to respond to date or otherwise provide any explanation regarding registration or use of the Disputed Domain Name.

Complainants allege that a finding of bad faith is further warranted because the Disputed Domain Name purports to offer services similar to those offered by Complainants in the regular course of their business. The name of the Disputed Domain Name alone illustrates bad faith and an effort to fraudulently mislead consumers into believing that Respondent offers services that are also offered by Complainants.

Complainants further allege that Respondent's actions combined with (1) the distinctiveness and reputation of the famous and strong LENNAR Mark, (2) Respondent's failure to respond to Complainants' cease and desist letter or to provide any evidence of actual or contemplated good-faith use, and (3) Respondent's concealing of its identity or use of false contact information supports a finding that the Disputed Domain Name is being used in bad faith.

Complainants further allege that initially the Disputed Domain Name may have been passively held. However, the passive holding of the Disputed Domain Name does not prevent a finding of bad faith.

Complainants further allege that the Disputed Domain Name now appears to redirect visitors to a malicious pop-up scam with illegal streaming content and/or a virus scam site.

Complainants further allege that Respondent employed a proxy service and selected a registrar that applies default proxy services, merely to avoid being contact by Complainant or notified of this UDRP proceeding. Such actions support an inference of bad faith.

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

B. Respondent

Respondent did not reply to Complainants' contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainants' assertions, the Panel will review the evidence proffered by Complainants to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the LENNAR Mark in which Complainant has rights; and,
- ii) that 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

[WIPO Overview 3.0](#), section 1.2.1 states that registration of the LENNAR Mark is *prima facie* evidence of Complainant having enforceable rights in the LENNAR Mark.

Complainants have shown rights in respect of the LENNAR Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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 LENNAR Mark and the Disputed Domain Name. [WIPO Overview 3.0](#), section 1.7.

The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the LENNAR Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here “visual,” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the LENNAR Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

Paragraph 4(c) of the Policy allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your 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) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are 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 LENNAR Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a *prima facie* case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a *prima facie* case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity, here claimed as a malicious pop-up scam with illegal streaming content and/or a virus scam site, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the LENNAR Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or
- (ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the LENNAR Mark from reflecting the LENNAR Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the Disputed Domain Names, you [Respondent] 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 LENNAR Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

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

The Panel finds that Respondent's actions combined with (1) the distinctiveness and reputation of the famous and strong LENNAR Mark, (2) Respondent's failure to respond to Complainants' cease and desist letter or to provide any evidence of actual or contemplated good-faith use, and (3) Respondent's concealing of its identity support a finding that the Disputed Domain Name is being used in bad faith.

Panels have held that the use of a domain name for illegitimate activity, here claimed as a malicious pop-up scam with illegal streaming content and/or a virus scam site, can never confer rights or legitimate interests on Respondent constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under 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 <lennarvisual.com> be transferred to Complainant.

/Richard W. Page/
Richard W. Page
Sole Panelist
Date: January 27, 2026