ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Penney OpCo LLC, d/b/a JCPenney, on behalf of itself and
Penney IP LLC v. wang yilin
Case No. D2026-0987

1. The Parties

The Complainant is Penney OpCo LLC, d/b/a JCPenney, on behalf of itself and Penney IP LLC, United States of America ("United States"), represented by Jackson Walker, LLP, United States.

The Respondent is wang yilin, China.

2. The Domain Name and Registrar

The disputed domain name <lizclaibornee.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 6, 2026. On March 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 10, 2026, 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 (Dynadot Privacy Service, Super Privacy Service LTD c/d Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 12, 2026, 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 March 13, 2026.

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 March 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 9, 2026.

The Center appointed Andrew Brown K.C. as the sole panelist in this matter on April 15, 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

The Complainant Penney OpCo LLC, dba JCPenney has its head office in Plano, Texas, the United States. The Complainant is engaged in the development, marketing, advertising and retail sale of apparel and other goods under the LIZ CLAIBORNE trademark through brick and mortar stores throughout the United States and through ecommerce operations. The Complainant is the exclusive licensee of the LIZ CLAIBORNE trademark from its affiliate, Penney IP LLC, which owns various trademarks containing the term Liz Claiborne.

The Complainant's exclusive licensor and affiliate, Penney IP LLC, owns a number of relevant registrations for the trademark LIZ CLAIBORNE ("the LIZ CLAIBORNE Trademark") including the following:

Trademark	Jurisdiction	No.	Registration Date	Classes
LIZ CLAIBORNE	United States	1167434	September 1, 1981	25
LIZ CLAIBORNE	United States	1422446	December 30, 1986	3
LIZ CLAIBORNE	United States	1442825	June 16, 1987	9, 16, 18, 24, 25, and 34
LIZ CLAIBORNE	United States	2131395	January 20, 1998	11, 24 and 27
LIZ CLAIBORNE	United States	2202253	November 3, 1998	25
LIZ CLAIBORNE	United States	4063464	November 29, 2011	14

The disputed domain name was registered on January 14, 2026.

The disputed domain name resolves to an active website presenting itself as an "official" Complainant's site, displaying promotional content and affiliate links to the Amazon platform. The website also displayed an address supposedly located at "4674 Clover Drive, Colorado Springs, CO", but that address does not exist.

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 it and its affiliate and licensor, Penney IP LLC, have trademark rights to the LIZ CLAIBORNE Trademark in connection with the products it sells in Classes 3, 9, 11, 14, 16, 18, 24, 25, 27 and 34. The Complainant states that the LIZ CLAIBORNE Trademark is known throughout the United States to consumers in the market for quality clothing, accessories and home goods. The Complainant also claims common law rights to the LIZ CLAIBORNE Trademark and that these rights date back to at least 1976.

The Complainant contends that it has the rights necessary to bring this Complaint and relies on decisions of previous Panels on this standing issue where a licensee and affiliate of the trade mark owner lodges the complaint.

The Complainant contends that the disputed domain name completely incorporates its LIZ CLAIBORNE Trademark and that the disputed domain name has an obviously intentional misspelling with the addition of an extra "e" at the end of the word "Claiborne". Based on this, the Complainant contends that the disputed domain name is confusingly similar to its LIZ CLAIBORNE Trademark in which it (and its affiliate) have rights.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. In this regard the Complainant states (cumulatively) that:

(a) The disputed domain name was only recently registered on January 14, 2026, so that the Respondent has no rights or legitimate interests in it;

(b) The Respondent does not have any registered trademarks or trade names corresponding to the disputed domain name, nor has the Respondent been authorized to make any use of the LIZ CLAIBORNE Trademark;

(c) The Respondent cannot invoke any of the circumstances in paragraph 4(c) of the Policy in order to demonstrate rights or legitimate interests;

(d) The Respondent is precluded from claiming any rights or legitimate interests by the fact that it had notice of the Complainant's LIZ CLAIBORNE Trademark before any use of or demonstrable preparations by them to use the disputed domain name. This notice arose from use of the LIZ CLAIBORNE trademarks and rights dating from 1981, some 45 years before registration of the disputed domain name;

(e) The Respondent cannot legitimately claim to be known by the disputed domain name;

(f) The Respondent cannot assert that they have made or are now making a legitimate noncommercial or fair use of the disputed domain name within paragraph 4(c)(iii) of the Policy; and

(g) The Respondent is using the disputed domain name as part of a typo-squatting or cybersquatting scheme.

The Complainant states that the disputed domain name has been registered in bad faith. The Complainant submits that the Respondent knew of the Complainant and its LIZ CLAIBORNE Trademarks and although lacking any license or legitimate rights, nonetheless, registered the disputed domain name in bad faith. The Complainant claims it is legitimate to infer bad faith based on the fact that the disputed domain name is an obvious typo of the LIZ CLAIBORNE Trademark designed to mislead consumers.

As to use in bad faith, the Complainant relies on the fact that the landing page at the disputed domain name comprises a website that imitates the official LIZ CLAIBORNE brand, features the LIZ CLAIBORNE logo, contains an "About" page recounting the LIZ CLAIBORNE story (and articles about LIZ CLAIBORNE clothing). The landing page has links to the domain name <amazon.com> that direct Internet users to search results for "LIZ CLAIBORNE clothing".

The Complainant relies further on a prior proceeding (*Penney OpCo LLC v. Wang Jinglu,* WIPO Case No. D2026-0069, the "Prior Proceeding") in which the Complainant successfully prevailed in a complaint against the domain name <lizclaibornes.com>. The Complainant claims that the disputed domain name (<lizclaibornee.com>) was registered just six days after Complainant filed its complaint in the Prior Proceeding. The Complainant claims bad faith use on the part of the Respondent is evidenced by the fact that, three days after the panel issued its decision in the Prior Proceeding, the domain name <lizclaibornes.com> began redirecting Internet users to the disputed domain name in issue in this Complaint.

The Complainant states that the timing of these linked actions, the use of the same registrar and privacy shield by the Respondent and the identical nature of the infringing content on the landing page at the disputed domain name strongly indicate that the Respondent is the same party as in the prior proceeding and has registered the disputed domain as a deliberate attempt to circumvent the Panel's decision in the earlier complaint and to perpetuate the same bad faith conduct.

The Complainant asserts further that the Respondent is using the disputed domain to direct internet traffic to Amazon in order to monetize the Complainant's LIZ CLAIBORNE Trademark through obtaining commissions from the Amazon affiliate program.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Panel finds that the Complainant has standing to bring this Complaint as the exclusive licensee and as an affiliate of the trademark owner. The WIPO Overview 3.1, section 1.4 states:

"A trademark owner's affiliate such as a subsidiary of a parent or a holding company, or an exclusive trademark licensee, is considered to have rights in a trademark under the UDRP for purposes of standing to file a complaint."

The Complainant has shown rights in respect of a trademark or service mark (the LIZ CLAIBORNE Trademark) for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds that the Complainant has established unregistered trademark or service mark rights in that trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.3.

The Panel further finds that the Complainant's LIZ CLAIBORNE Trademark is clearly recognizable within the disputed domain name. The LIZ CLAIBORNE Trademark has been incorporated in its entirety in the disputed domain name with the addition of the letter 'e'. The Panel finds that the disputed domain name is confusingly similar to the Complainant's LIZ CLAIBORNE Trademark.

The Panel finds that 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 that 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 3.1, 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.

Panels have held that the use of a domain name for illegitimate activity, in this case impersonation/passing off as the Complainant through the creation of a genuine-looking website at the disputed domain name to give the impression of association with the Complainant's business and designed to scam consumers, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, 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 a domain name in bad faith.

In the present case, the Panel finds that the disputed domain name has been registered in bad faith for the following reasons:

(a) The Complainant has demonstrated its rights in the LIZ CLAIBORNE Trademark and that the trademark was well known and had a reputation well prior to registration of the disputed domain name on January 14, 2026. The Complainant's trademark registrations, its use of those marks and its common law rights well predate the registration of the disputed domain name.

(b) The Panel finds that the Respondent knew of the Complainant's LIZ CLAIBORNE Trademark. The disputed domain name incorporates the LIZ CLAIBORNE Trademark with the suffix or addition of the letter "e", clearly indicating that the reference to the Complainant's trademark was intended. This is confirmed by the landing page created by the Respondent at the disputed domain name (upon registration) which offers purported LIZ CLAIBORNE products for sale via Amazon and additional material referring specifically to the LIZ CLAIBORNE Trademark and to the Complainant and its licensor/affiliate.

(c) Even if the Respondent did not know of the Complainant's LIZ CLAIBORNE Trademark (which is not accepted), any good faith search of the Internet before registration of the disputed domain name would have revealed to the Respondent the Complainant's (and its affiliates) trademark and common law rights in and existing use of the LIZ CLAIBORNE Trademark.

The Panel is also satisfied that the Respondent has used the disputed domain name in bad faith for the following reasons.

(a) The Complainant has provided evidence that the disputed domain name has been used to intentionally attract consumers through a landing page advertising and marketing purported LIZ CLAIBORNE products. This landing page imitates the LIZ CLAIBORNE brand, features the LIZ CLAIBORNE logo and contains an "About" page setting out the Liz Claiborne story and articles about LIZ CLAIBORNE products. It also has links to <amazon.com> that directs users to search results for "LIZ CLAIBORNE clothing".

(b) The Respondent is making use of the Complainant's LIZ CLAIBORNE Trademark to divert internet traffic to Amazon. These activities are designed to earn commissions for the Respondent through the Amazon affiliate program. Panels have found that such activities amount to bad faith use: see *Penney*

OpCo LLC v. Wang Jinglu, WIPO Case No. D2026-0069 (the Prior Proceeding); and *The NOCO Company v. Zhou Lei*, WIPO Case No. D2022-2073.

The Panel is entitled to draw and does draw adverse inferences from the failure of the Respondent to respond to the Complaint and to the factual allegations of the Complainant. These unanswered allegations include the Complainant's allegations about the Prior Proceeding and the redirection of Internet users from the domain name <lizclaibornes.com> to the disputed domain name.

The Panel therefore finds 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 <lizclaibornee.com> be transferred to the Complainant.

/Andrew Brown K.C./
Andrew Brown K.C.
Sole Panelist
Date: April 24, 2026