

ADMINISTRATIVE PANEL DECISION

PN II, Inc. v. VI VÃN LAM

Case No. D2026-1081

1. The Parties

The Complainant is PN II, Inc., United States of America ("United States"), represented by Adams and Reese LLP, United States.

The Respondent is VI VÃN LAM, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <pulteglobal.com> (the "Disputed Domain Name") is registered with Nhan Hoa Software Company Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 12, 2026. On March 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 14, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

On March 18, 2026, the Center informed the Parties in Vietnamese and English, that the language of the Registration Agreement for the Disputed Domain Name is Vietnamese. On the same date, the Complainant requested English to be the language of the proceeding and submitted an amended Complaint. The Respondent did not submit any comment on the Complainant's submission.

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 March 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 10, 2026.

The Center appointed Duy Khanh Nguyen 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 is a subsidiary of PulteGroup, Inc., one of the largest homebuilding companies in the United States and currently operates in approximately 50 markets. PulteGroup, Inc. and its subsidiaries offer residential home construction services under the PULTE trademark and advertise these services through various websites, print media and other promotional campaigns. The Complainant and its predecessors have been using the PULTE trademark since at least 1969.

The Complainant is the owner of a number of PULTE trademark registrations in Canada and the United States. In the United States, the Complainant owns the following trademark registrations:

- United States Registration No. 3676026 for PULTE, registered on September 1, 2009, covering services in International Class 36;
- United States Registration No. 1942747 for PULTE, registered on December 19, 1995, covering services in International Classes 36 and 37; and
- United States Registration No. 7025786 for PULTE, registered on April 11, 2023, covering services in International Classes 36 and 37.

The Complainant is also the owner of multiple domain names, including but not limited to: <pulte.com> and <pultegroup.com>, which are used to operate its websites.

The Disputed Domain Name was registered on March 9, 2026. According to the material brought before the

Panel, the Disputed Domain Name has been used to send fraudulent online inquiries and emails to impersonate a senior executive of the Complainant seeking to engage a third-party vendor's services in connection with marketing campaigns for the Complainant's real estate business. As of the filing of the Complaint, the Disputed Domain Name is not directing to an active website.

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.

The Complainant contends that the Disputed Domain Name is identical or confusingly similar to the Complainant's PULTE trademark. The Disputed Domain Name incorporates the PULTE mark in its entirety with the addition of the descriptive term "global".

The Complainant further alleges that the Respondent has no rights or legitimate interests in the Disputed Domain Name.

Finally, the Complainant submits that the Disputed Domain Name was registered and is being used in bad faith. The Complainant contends that it is not plausible that the Respondent could have been unaware of the Complainant at the time of registration, given the Complainant's multiple trademark and domain name registrations, international reputation, and the distinctiveness of the PULTE trademark. Besides, the Respondent registered and has been using the Disputed Domain Name to impersonate a senior executive of the Complainant to commit fraudulent acts. In doing so, the Respondent clearly registered the Disputed Domain Name for commercial gain and to trade on the Complainant's goodwill and reputation and may have violated criminal laws in the process. Such fraudulent use of the Disputed Domain Name demonstrates clear bad faith. Furthermore, a reverse Whois research reveals that the Respondent has engaged in a pattern of registering domain names incorporating well-known trademarks of other IP owners, further supporting a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Vietnamese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. On March 18, 2026, the Center, in its email notifying the language of the Registration Agreement, invited the Complainant to submit either a request in an amended Complaint by March 23, 2026, should it wish for English to be the language of the proceeding or a Complaint translated into Vietnamese.

On March 18, 2026, the Complainant submitted the amended Complaint requesting that the language of the proceeding be English for the following reasons:

- the Registration Agreement available on the Registrar's website appears in English;
- the Disputed Domain Name is composed of Latin characters and incorporates the Complainant's PULTE mark, which is in Latin, rather than Vietnamese script;
- the Respondent is using an email address at the Disputed Domain Name to impersonate a senior executive of the Complainant and send fraudulent online inquiries and emails to unsuspecting third-party vendors, in English; and
- requiring translation of the amended Complaint and attached annexes from English to Vietnamese would impose disproportionate costs on the Complainant and result in unnecessary delay and inconvenience.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 3.1](#), section 1.7.

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

The Panel finds that the Disputed Domain Name fully incorporates the Complainant's PULTE trademark and is combined with the word "global". In this context, the Panel finds that the addition of the term "global" does not prevent the finding of confusing similarity for the purpose of the Policy. [WIPO Overview 3.1](#), section 1.8.

In addition, it is well-established that the Top-Level Domain (i.e., "com") may be disregarded for this purpose. [WIPO Overview 3.1](#), 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 the 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.

The Complainant's PULTE trademark is well known and has been registered and used by the Complainant and its predecessors long before the date of the Respondent's registration of the Disputed Domain Name. The Complainant has never licensed or authorized the Respondent to use the PULTE trademark or register the Disputed Domain Name.

The Respondent has not provided any evidence of a legitimate noncommercial or fair use of the Disputed Domain Name or reasons to justify its choice of the Disputed Domain Name that is confusingly similar to the Complainant's PULTE trademark. Further, the Panel finds no indication showing that the Respondent is commonly known by the Disputed Domain Name or otherwise has rights or legitimate interests in the Disputed Domain Name.

In this case, the Panel further finds that the Respondent is using the Disputed Domain Name to impersonate a senior executive of the Complainant by sending fraudulent online inquiries and emails to unsuspecting third-party vendors. Panels have held that the use of a domain name for illegal activities, here, impersonation and procurement fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

For these reasons, the Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

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 3.1](#), section 3.2.1.

In the present case, the Panel notes that the Disputed Domain Name was registered on March 9, 2026, many years after the Complainant first used and registered the PULTE trademark. Given that the distinctive and well-known character of the PULTE trademark has been established under numerous UDRP decisions, it is implausible that the registration of the Disputed Domain Name was coincidental. The Respondent's knowledge of the Complainant is further evidenced by its use of the Complainant's name, headquarters address, and official logo in its email signature.

As demonstrated, the Respondent is using the Disputed Domain Name in a fraudulent manner. Panels have found that the use of a domain name for illegal activities, here, impersonation and procurement fraud, constitutes evidence of bad faith. [WIPO Overview 3.1](#), section 3.4.

In addition, the Panel finds that the bad faith registration and use of the Disputed Domain Name is also affirmed by the Respondent's pattern of conduct under paragraph 4(b)(ii) of the Policy. In particular, the Respondent has registered other domain names apparently incorporating trademarks of other brand owners, including: <transwesterngroup.com> and <jamestownlpmedia.com>. The Panel finds that these registrations constitute a pattern of conduct for the purposes of paragraph 4(b)(ii) of the Policy. [WIPO Overview 3.1](#), section 3.1.2.

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 <pulteglobal.com> be transferred to the Complainant.

/Duy Khanh Nguyen/

Duy Khanh Nguyen

Sole Panelist

Date: April 28, 2026