ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

McGraw Hill LLC v. Gina Yu
Case No. D2026-2121

1. The Parties

The Complainant is McGraw Hill LLC, United States of America ("United States"), represented by Leason Ellis LLP, United States.

The Respondent is Gina Yu, China.

2. The Domain Name and Registrar

The disputed domain name <mcgrawhill.online> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 18, 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 (UNKNOWN REGISTRANT) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 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 amended Complaint on May 22, 2026.

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 May 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 17, 2026.

The Center appointed Gill Mansfield as the sole panelist in this matter on June 22, 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 an educational publishing company registered in Delaware, United States, with a history dating back over a hundred years. The MCGRAW-HILL mark was registered in 1985 and, more recently, the MCGRAW HILL mark (without the hyphen) has been used in connection with the Complainant's business in the field of educational software, online and digital media education services, text books, and other book publishing.

The Complainant has an international portfolio of registered MCGRAW HILL and MCGRAW HILL formative trademarks, including (inter alia):

- United States trademark registration number 4664266 for MCGRAW HILL (word mark) registered on December 30, 2014, in classes 9, 16, 41, and 42.

The Complainant also owns the domain name <mcgrawhill.com> which redirects to its corporate website at <mheducation.com> from which the Complainant has offered goods and services since at least December 2000.

The disputed domain name was registered on April 12, 2026, and resolves to a landing page where the disputed domain name is being offered for sale with a "buy now" price of USD 1,450 and a "lease to own" price of USD 242 / month.

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 the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Complainant submits that the only difference between its registered MCGRAW HILL trademark and the disputed domain name is the removal of the space between the words MCGRAW and HILL, and the addition of ".online".

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It asserts that the Respondent is not and has never been a representative or licensee of the Complainant, and that the Respondent is not authorised by the Complainant to use its trademark in the disputed domain name.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It argues that the Respondent registered the disputed domain name long after the Complainant's mark was first used and registered, and that, given that the Complainant is a recognised leader in educational services and the long use of the MCGRAW HILL trademark, the Respondent cannot reasonably deny that the disputed domain name was registered with the Complainant in mind. The Complainant refers to the fact that the disputed domain name is being offered for sale, and argues that it was purchased solely for resale and to make a profit beyond the cost of purchasing the disputed domain name. It also argues that the fact that the landing page where the disputed domain name is being offered for sale shows the disputed domain name as "McGrawHill.online" (with the M, G and H capitalised) shows an awareness of the Complainant by mirroring the Complainant's name. The Complainant also refers to other decisions where the Respondent "Gina Yu" has been found to have registered domain names containing famous brands and other trademarks in bad faith (*CLARINS v. Gina Yu*, WIPO Case No. D2026-0060).

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy the Complainant carries the burden of proving:

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights,
(ii) that the 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

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 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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The applicable Top-Level Domain ("TLD") in a domain name is a standard registration requirement and as such the TLD ".online" in the disputed domain name is disregarded under the first element confusing similarity test. 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 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.

In particular, the Respondent is not and has never been a representative or licensee of the Complainant, and the Respondent is not authorised by the Complainant to use its trademark in the disputed domain name.

There is no evidence that the Respondent is commonly known by the disputed domain name. The Panel notes that the name of the Respondent confirmed by the Registrar is "Gina Yu". There is also no evidence of use, or demonstrable preparations to use, the disputed domain name for a bona fide offering of goods or services, or of any legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert customers.

The disputed domain name consists of the Complainant's MCGRAW HILL mark in its entirety with only the addition of the TLD ".online". As such the composition of the disputed domain name is such as to carry a high risk of implied affiliation with the Complainant's trademark which cannot constitute fair use as it effectively impersonates the Complainant, or suggests affiliation with or sponsorship or endorsement by the Complainant (WIPO Overview 3.1, section 2.5.1). The use of TLD ".online" here does nothing to reduce that risk, on the contrary, the use of the ".online" TLD suggests that the disputed domain name may be a legitimate source of information in relation to the Complainant's online services, and further reinforces the risk of implied affiliation. The Panel notes that disputed domain name also mimics the Complainant's own genuine domain name with only the TLD differing.

In addition, according to paragraph 14(b) of the Rules, the Panel may draw from the lack of response of the Respondent such inferences as it considers appropriate. The Panel is of the view that the lack of a substantive response to the Complainant's contentions from the Respondent further corroborates the absence of any rights or legitimate interests of the Respondent in the disputed domain name.

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.

The record shows that at the time of the Complaint the disputed domain name resolved to a landing page where the disputed domain name was being offered for sale.

In general, registration of a domain name for subsequent resale (including for a profit) does not by itself support a claim that a respondent has registered a domain name in bad faith with the primary purpose of selling it to the trademark owner (or its competitor). However, if the circumstances indicate that the respondent's intent in registering the domain name was in fact to profit in some fashion from, or otherwise exploit, the complainant's trademark, panels will find bad faith on the part of the respondent. WIPO Overview 3.1, section 3.1.1.

In the present case, the Panel notes the Complainant's long trading history and use of the distinctive MCGRAW-HILL, and latterly MCGRAW HILL mark, in connection with its publishing business. In contrast, the Respondent only registered the disputed domain name on April 12, 2026. Given the distinctiveness of the Complainant's mark and its long history it is implausible that the Respondent did not have the Complainant's mark in mind when registering the disputed domain name.

The Panel also notes the composition of the disputed domain name, which wholly incorporates the Complainant's MCGRAW HILL mark with only the addition of ".online", a TLD directly related to the Complainant's area of commercial activity.

Further, the Panel considers that the "Buy now" price of USD 1,450 at which the disputed domain name was being offered for sale in all likelihood significantly exceeds the out-of-pocket expenses in connection with the registration of the disputed domain name.

Having regard to all of the circumstances, the Panel finds that the Respondent has registered the disputed domain name primarily for the purpose of selling, renting or otherwise transferring the domain name to the complainant who is the owner of the trademark or service mark or to a competitor of the complainant, for valuable consideration in excess of the respondent's out-of-pocket expenses directly related to the disputed domain name under paragraph 4(b)(i) of the Policy.

The Panel also notes the Complainant's evidence of a pattern of abusive domain name registrations and bad faith on the part of the Respondent. The record shows domain names that correspond to other recognisable brands and trademarks being registered by the Respondent. The Panel finds that this would also constitute a pattern of bad faith under paragraph 4(b)(ii) of the Policy.

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 <mcgrawhill.online> be transferred to the Complainant.

/Gill Mansfield/
Gill Mansfield
Sole Panelist
Date: July 6, 2026