ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Leancode, Inc. v. Richard Harrison
Case No. D2026-2365

1. The Parties

The Complainant is Leancode, Inc., United States of America, represented by Eligon IP LLC, United States of America.

The Respondent is Richard Harrison, United Kingdom, represented by Adlex Solicitors, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <pluggable.com> is registered with DNC Holdings, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 1, 2026. On June 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 8, 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 (Jewella Privacy, Jewella Privacy LLC Privacy ID# 13566846) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 9, 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 June 12, 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 June 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 6, 2026. The Respondent requested an automatic extension of four days, then the due date was July 10, 2026. The Response was filed with the Center on July 8, 2026.

The Center appointed Kaya Köklü, Lynda J. Zadra-Symes and Nick J. Gardner as panelists in this matter on July 22, 2026. The Panel finds that it was properly constituted. Each member of 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 company registered in the United States, active in the field of computer accessories and related technology products.

The Complainant is the owner of the trademark PLUGABLE. Based on the information provided in the Complaint, the Complainant's first trademark registration is United States Trademark Registration No. 3,956,966, registered on May 10, 2011, claiming first use in commerce on September 18, 2009, for PLUGABLE, covering various computer hardware and peripheral goods in class 9.

The Complainant also owns and operates its official website at <plugable.com>.

The Respondent is located in the United Kingdom.

The disputed domain name was initially registered on April 9, 2005. The Respondent acquired the disputed domain name on February 18, 2009.

On January 17, 2008, prior to acquiring the disputed domain name, the Respondent had established a consulting company in 2007, which was named "Pluggable Ltd.". After discontinuing its business activities in 2012, the Respondent retained ownership of the disputed domain name.

In 2026, the Respondent reactivated the email account associated with the disputed domain name and started receiving misdirected emails intended for the Complainant. On March 17 and 19, 2026, the Respondent informed the Complainant of these misdirected emails. During the Parties' subsequent correspondence, the Respondent indicated that it would be prepared to sell the disputed domain name, without specifying an asking price. In return, the Complainant offered to purchase the disputed domain name for USD 5,000. Through its legal counsel, the Respondent declined that offer and stated that its price expectations were "in the mid-six figure range".

At the time of the Decision, the disputed domain name resolves to a webpage promoting the value of the disputed domain name and indicating that it is available for purchase.

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 does not dispute that the disputed domain name was registered before the Complainant acquired trademark rights in PLUGABLE. However, the Complainant argues that the relevant point in time for assessing the second and third elements of the Policy, in particular bad faith registration, should be the Respondent's reactivation of use of the disputed domain name in 2026 rather than the original registration or acquisition of the disputed domain name. Offering the disputed domain name for sale at a price likely exceeding the Respondent's out-of-pocket costs related to the disputed domain name is, in view of the Complainant, sufficient evidence of bad faith.

B. Respondent

The Respondent requests the denial of the Complaint and a finding of Reverse Domain Name Hijacking ("RDNH").

The Respondent contends that the Complainant has not satisfied the second and third elements required under the Policy for a transfer of the disputed domain name.

The Respondent particularly submits that the disputed domain name consists of a common English dictionary word, that it was acquired before the Complainant adopted and obtained trademark rights in the deliberately modified spelling PLUGABLE, that the Respondent never targeted the Complainant or its PLUGABLE trademark, and that offering the disputed domain name for sale does not, in itself, constitute evidence of bad faith. The Respondent rather argues that after discontinuing its business under "pluggable" in 2012, it retained ownership of the disputed domain name considering the disputed domain name to have an inherent value as a dictionary word and technology-related domain name.

In addition, the Respondent submitted a screenshot of a Reddit post of 2025, in which the founder of the Complainant stated, in response to a user's comment:

"Yes! It's the classic issue of name clash and branding. We're Plugable because the dictionary word pluggable.com wasn't available, and can't be trademarked!".

All in all, the Respondent argues that all this demonstrates that the Complainant, represented by a counsel apparently familiar with UDRP, must have been fully aware that the Complaint could not succeed under the Policy, but nevertheless chose to commence this administrative proceeding.

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

(i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

It is stated that the Panel has taken note of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") and, where appropriate, will decide consistently with the consensus views captured therein.

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 the PLUGABLE trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name consists of the correctly spelled English dictionary word "pluggable", whereas the Complainant's trademark PLUGABLE omits one of the two letters "g". Despite this minor difference in spelling, the Panel considers that the Complainant's PLUGABLE trademark remains recognizable for the purposes of the first element of the Policy.

The Panel already here notes that the disputed domain name corresponds to the ordinary spelling of a common English dictionary term, whereas the Complainant's trademark consists of a slightly modified spelling of that term. However, these considerations concern the nature of the term and the Respondent's registration and use of the disputed domain name, and, hence, are more appropriately addressed under the second and third elements of the Policy rather than under the standing test for confusing similarity.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's PLUGABLE trademark for the purposes of paragraph 4(a)(i) of the Policy. WIPO Overview 3.1, section 1.7.

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

B. Rights or Legitimate Interests

Paragraph 4(a)(ii) of the Policy provides that the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Panel considers that there are substantial grounds for finding that the Respondent has rights or legitimate interests in respect of the disputed domain name. The Panel notes that the disputed domain name consists of the common English dictionary term "pluggable", which the Respondent registered as the disputed domain name before the Complainant acquired any trademark rights. The record further shows that the Respondent subsequently used the disputed domain name for a number of years in connection with a business operating under the corresponding company name. There is nothing in the record suggesting that this use by the Respondent was not bona fide or otherwise illegitimate.

The Panel further notes that the registration of a domain name consisting of a dictionary word or descriptive term is generally regarded as a legitimate activity under the Policy, provided that such registration is not intended to target a complainant's trademark rights. As numerous UDRP panels have observed, the Policy does not prevent domain name registrants from registering and holding dictionary terms on a "first come, first served" basis.

In this regard, the Complainant does not dispute that the disputed domain name may initially have been used by the Respondent legitimately but argues that the Respondent's business was discontinued for many years and that the disputed domain name is currently being offered for sale at a price that likely exceeds the Respondent's out-of-pocket costs related to the disputed domain name. However, the Panel finds that the mere discontinuation of a business or the subsequent offering of a domain name for sale does not, without more, negate rights or legitimate interests that arose from an originally legitimate registration and use of a dictionary term within a domain name.

Hence, the Panel considers that the Respondent has raised a credible basis for rights or legitimate interests in the disputed domain name under the Policy.

Nonetheless, the Panel does not find it necessary to reach a definitive conclusion on this element, since the Complaint in any event fails under the third element of the Policy for the reasons set out below.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain name was registered and is being used in bad faith. Both requirements must be satisfied.

In the present case, the Panel finds that the Complaint fails because there is no basis whatsoever for concluding that the disputed domain name was registered in bad faith.

According to the case record, the Respondent registered the disputed domain name before the Complainant acquired any trademark rights in PLUGABLE. At the time of registration, the disputed domain name consisted of an ordinary English dictionary term, and there is no evidence that the Respondent could have had the Complainant, its subsequently acquired trademark, or any corresponding rights in mind. On the contrary, the Respondent has demonstrated that it subsequently used the disputed domain name in connection with a business operating under the same dictionary name for a number of years.

The Panel finds no evidence in the case record that the Respondent acquired the disputed domain name with the intention of targeting the Complainant or any trademark rights that did not even exist at that time. The Complainant has not even argued, and there is nothing in the record suggesting that the Respondent registered the disputed domain name in anticipation of the Complainant's future PLUGABLE trademark rights.

The Panel does not overlook the Complainant's argument that the Respondent's discontinuation of its business, followed many years later by the resumption of use of the disputed domain name and the offering for sale, should effectively be treated as the relevant point in time for assessing bad faith registration.

The Panel is unable to accept this argument. The Policy contains no provision suggesting that a domain name registrant's subsequent decision to resume use of a domain name, while remaining the same registrant throughout, constitutes a new registration or otherwise resets the date for assessing bad faith registration. The Panel is also not aware of any established UDRP consensus supporting any such argument.

Instead, the relevant point in time remains the original registration (or, where applicable, a subsequent acquisition by a different registrant). Neither a period of non-use nor a later change in a way in which the domain name is used can retrospectively convert an originally good-faith registration into a bad-faith registration.

Also, the Respondent's decision to offer the disputed domain name for sale does not alter this conclusion. The Panel finds that the mere offer for sale of the disputed domain name is not, in itself, sufficient to establish cybersquatting or bad faith. The circumstances of the present case rather demonstrate that there is insufficient evidence to conclude that the disputed domain name was registered primarily for the purpose of selling it to the Complainant (or any other party), rather than because of its inherent value as a dictionary term. In this regard, the Panel notes that the Policy does not prohibit the acquisition, ownership, or sale of a domain name consisting of a dictionary term as such.

Particularly significant in the present case is the additional evidence produced by the Respondent showing that in 2025, about a year before commencing this administrative proceeding, the Complainant's founder himself publicly acknowledged in a Reddit post that the disputed domain name had already been registered by another party and further expressed the view that the dictionary term in question was not capable of exclusive trademark protection. While these statements were made outside the present administrative proceeding, they are not consistent with the position taken by the Complainant in the present administrative proceeding, asserting the Respondent's registration of the disputed domain name was abusive under the Policy.

All in all, the Panel finds that the Respondent neither registered nor is using the disputed domain name in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

Consequently, the Panel finds that the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt of RDNH or to harass the domain name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute RDNH. WIPO Overview 3.1, section 4.16.

In the circumstances of this case, the Panel considers that the Complaint had no reasonable prospect of success and should never have been filed.

Based on the case record, the Complainant knew that the disputed domain name had been registered before the Complainant acquired any trademark rights.

The Complainant was also fully aware that the disputed domain name corresponds to a common dictionary English term. Even more, the Respondent produced evidence that the Complainant itself had publicly acknowledged in 2025 in a Reddit post that the disputed domain name was already registered by another party and that the descriptive term "pluggable" itself was not capable of trademark protection, which is why the Complainant instead opted for the different spelling PLUGABLE as its trademark.

Notwithstanding these circumstances, the Complainant asked the Panel to find bad faith registration based essentially on the Respondent's later resumption of use of the disputed domain name and its subsequent attempt to sell the disputed domain name. However, the Policy provides no basis for treating a later conduct as creating a new registration date.

The Panel also takes into account that the Complainant was represented by legal counsel throughout this administrative proceeding.

The Panel considers that under these circumstances the Complainant either knew, or should have known after reasonable investigation, that the essential requirement of bad faith registration could not be established on the facts of this case. Despite these circumstances, the Complainant chose to pursue this administrative proceeding.

Consequently, and in line with the Respondent's request, the Panel concludes that the Complaint was filed in bad faith and therefore constitutes an attempt of RDNH within the meaning of paragraph 15(e) of the Rules.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Kaya Köklü/
Kaya Köklü
Presiding Panelist

/Lynda J. Zadra-Symes/
Lynda J. Zadra-Symes
Panelist

/Nick J. Gardner/
Nick J. Gardner
Panelist
Date: August 3, 2026